

**JOURNAL**  
OF THE  
**SENATE**  
OF THE  
**STATE OF ALABAMA**  
**FIRST**  
**EXTRAORDINARY**  
**SESSION OF 1984**

**HELD IN THE CITY OF MONTGOMERY, ALABAMA**  
**COMMENCING TUESDAY, MAY 22, 1984**



**Vol. 1**

**WITH AN INDEX PREPARED BY THE**  
**SECRETARY OF THE SENATE**

# CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. Legislative roster, listing names and addresses of all members of the current Legislature by district;
2. A listing of legislative days, with calendar dates and pages on which each day begins;
3. A topic index of general bills listed alphabetically by subject matter;
4. A topic index of local bills listed alphabetically by counties;
5. A topic index of resolutions;
6. A miscellaneous index, including all items not categorized as bills or resolutions;
7. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
8. A Senate bill numerical index, with short titles;
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10. A Senate joint resolution, Senate resolution numerical index, with short titles;
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**JOURNAL**  
**OF THE**  
**SENATE**  
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**FIRST EXTRAORDINARY SESSION**  
**OF 1984**

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**FIRST LEGISLATIVE DAY**  
**TUESDAY, MAY 22, 1984**

BE IT REMEMBERED, that on the 22nd Day of May, A.D., 1984, George Wallace, Governor of the State of Alabama, issued his proclamation in words and figures as follows, to-wit:

**STATE OF ALABAMA**  
**PROCLAMATION**  
**BY THE GOVERNOR**

WHEREAS, there exists an extraordinary occasion, as prescribed by Article V, Section 122, of the Constitution of Alabama, 1901:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama shall convene in extraordinary session at the seat of Government, State Capitol, in Montgomery, Alabama, at 12:00 noon, on Tuesday, May 22, 1984, and I do hereby designate the following subjects and matters, which I, as Governor, deem necessary to be considered and acted upon by said Legislature, in extraordinary session assembled:

1. Legislation to authorize the Alabama Highway Authority to sell and issue matching fund revenue bonds, in order to provide necessary funds to satisfy matching bond requirements for the receipt of federal highway bonds, and to authorize the selling of refunding bonds, in order to refund previously issued and outstanding bonds of the Alabama Highway Authority and the Alabama Highway Finance Corporation.

2. Legislation to modify and amend the workmen's compensation statutes and benefits therein and to modify and amend existing law relating to co-employee liability damage suits and to establish a reasonable limitation thereon.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State, at the Capitol, in the City of Montgomery, on this the 22nd day of May, 1984.

**GEORGE C. WALLACE,**  
Governor.

**ATTEST:**

**DON SIEGELMAN,**  
Secretary of State.

Pursuant to such proclamation, at the hour of 12 o'clock Noon, on Tuesday, May 22, 1984, the Senators in the Legislature of Alabama assembled in the Senate Chamber.

The Senate was called to order by the Honorable Bill Baxley, Lieutenant Governor and Presiding Officer of the Senate. McDowell Lee, Secretary, was present and acted as such according to law.

### PRAYER

The Session was opened with prayer by the Reverend Jack F. Douglas, Evangelist, First Baptist Church, Pelham, Alabama.

### PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Amanda Danner, George Washington Jr. High School, Montgomery, Alabama.

### ROLL CALL

Present:

Senators:	Cabaniss	Ellis	Little
Aldridge	Corbett	Figures	Menton
Amari	Covington	Foshee	Mitchem
Bailey	deGraffenried	Goodwin	Parsons
Barron	Denton	Hand	Smith (B)
Bedford	Dial	Hilliard	Smith (J)
Bedsole	Dixon	Holmes	Strong
Bennett	Drinkard	Langford	Teague
Bishop			

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### LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Senators Cooley, Pearson, and Sanders for today.

### MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to advise the Senate that the House is now in session and is ready for the transaction of public business.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 3. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Tuesday, May 22, 1984, we adjourn to meet again on Wednesday, May 23, 1984, and Tuesday, May 29, 1984.

JOHN W. PEMBERTON,  
Clerk.



### HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and three members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

And the Speaker has appointed as a committee on the part of the House Reps. Goodwin, Faulk and Davis.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Teague, the Rules were suspended and the Resolution, H. J. R. 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as members on part of the Senate to notify the Governor Senators Hilliard, Figures, and Langford.

### MOTION TO ADJOURN

Senator Teague moved that when the Senate adjourns today, it adjourn to meet again on Wednesday, May 23, 1984, at 11 o'clock A.M., which motion was adopted.

### INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Denton:

S. 1. To amend Section 16-13-190 of the Code of Alabama of 1975 so as to validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of such tax in the consolidated district resulting from such consolidation.

Committee on Education.

By Senators Mitchem, Little, Teague, Smith (J), Dixon, Langford, Aldridge,

Bennett, Holmes, Amari, Ellis, Strong, Foshee, Covington, Dial, Menton, Bailey, and Parsons:

S. 2. To provide further salary increases for certain state employees and to appropriate funds therefor.

Committee on Finance and Taxation.

By Senators Teague, Covington, Denton, Foshee, Parsons, and Smith (B):

S. 3. To amend Section 34-30-22, Code of Alabama 1975, which provides for the qualifications of applicants for licensed social workers, so as to provide further for said qualifications.

Committee on Buildings and Grounds.

By Senator Teague:

S. 4. To amend Sections 36-28-1, 36-28-3, 36-28-4, 36-28-5, 36-28-6, 36-28-7, 36-28-8, 36-28-9 and 36-28-10 of the Code of Alabama 1975, which provide for a state social security agency, so as to provide further for a state office of social security under the state comptroller and to provide for certain penalties to be assessed on certain delinquent social security accounts processed by such state office.

Committee on Governmental Affairs.

By Senator Teague:

S. 5. To amend the "Alabama Environmental Management Act," the "Alabama Air Pollution Control Act of 1971," as amended, and the "Alabama Safe Drinking Water Act of 1977," as amended, specifically amending sections 22-22A-5, 22-22A-11, and 22-23-39, Code of Alabama 1975, as amended, and repealing section 22-25-10, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management (ADEM) to establish procedures for the collection of fees from applicants for permits, licenses, certifications or variances, such fees to be based on the reasonable anticipated cost to ADEM of the examination and processing of applications, plans, specifications or other data, investigations and public hearings for the issuance, reissuance, modification or denial of any permit, license, certification or variance; to authorize ADEM to recover from a violator the actual costs reasonably incurred by ADEM to prevent, minimize or abate any adverse effect on air, land or water resources which results or may result from a violation of a law, rule or regulation, or a permit, certification or variance issued by ADEM; to require the suppliers of drinking water to reimburse ADEM for the reasonable anticipated cost of bacteriological, sanitary and chemical analysis required to be performed under the "Alabama Safe Drinking Water Act of 1977;" and to appropriate all moneys deposited in the Alabama Department of Environmental Management Fund to the use of ADEM.

Committee on Finance and Taxation.

By Senator Teague:

S. 6. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such officers or employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from the regulation by the Department of

Insurance of the State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

Committee on Governmental Affairs.

By Senator Teague:

S. 7. To provide that the annual state salary payable circuit clerks and registers shall be \$33,000.00 so as to equitably adjust the ratio between said salaries and the salaries of other judicial officers and to appropriate such funds as may be necessary to pay such increase.

Committee on Governmental Affairs.

By Senator Teague:

S. 8. Relating to the collection of reasonable fees associated with producing criminal offender records for inspection.

Committee on Judiciary.

By Senator Teague:

S. 9. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license plate of a vehicle or an engine, so as to provide for the forfeiture and condemnation of certain items seized pursuant to this section.

Committee on Judiciary.

By Senator Teague:

S. 10. Relating to the functions of the Alabama board of funeral service; to amend Sections 34-13-1, 34-13-50, 34-13-55, 34-13-57, 34-13-70, 34-13-72, 34-13-90, 34-13-130 and 34-13-132 of the Code of Alabama 1975, so as to clarify the educational requirements of applicants for examination and licensure; to extend the time in which a license may be reinstated; to provide for payment of actual cost of any examination; and to provide further for terms of service of an apprenticeship and the due date for the annual report of an apprentice.

Committee on Judiciary.

By Senator Teague:

S. 11. To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 providing for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

Committee on Judiciary.

By Senator Teague:

S. 12. To make a supplemental appropriation from the general fund in the state treasury to the office of the Secretary of State for the fiscal year ending September 30, 1985.

Committee on Finance and Taxation.

By Senators Barron and Goodwin:

S. 13. To amend Section 36-22-16 of the Code of Alabama, 1975, to provide for the compensation of the sheriffs of the several counties in this state.

Committee on Governmental Affairs.

By Senators Menton, Mitchem, Denton, Corbett, Goodwin, and Teague:

S. 14. To provide that certain legislative employees shall be eligible to participate as members in the state employees' retirement system of Alabama and in the state employees' health insurance plan; to provide the eligibility of such employees and contributions required from the employee and employer; to permit certain such legislative employees to purchase certain prior creditable service on a pro rata basis for the retirement system and the terms therefor.

Committee on Building and Grounds.

By Senator Goodwin:

S. 15. To amend Section 40-20-2, Code of Alabama 1975, so as to provide certain exemptions for occluded natural gas produced from coal seams and to provide for an expiration date.

Committee on Finance and Taxation.

By Senator Bennett:

S. 16. To authorize certain Mutual Aid Associations to increase their paid-in capital.

Committee on Banking and Insurance.

By Senator Holmes:

S. 17. To provide for the establishment of the Special Services Division of the District Attorney's Office of each Judicial Circuit and further establish a unit for the expedient treatment of worthless checks.

Committee on Small Business.

By Senators Foshee and Teague:

S. 18. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist or podiatrist in the performance of his professional services from any city, county and state sales tax.

Committee on Health and Welfare.

By Senator Amari:

S. 19. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board

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of control of such system, and to provide for the election, qualifications and terms of office of the added member.

Committee on Governmental Affairs.

By Senator Langford:

S. 20. To amend Section 36-29-10, Code of Alabama 1975, which provides for the election of retired state employees, and retired teachers to continue coverage under the group insurance plan by the deduction of premiums for such coverage from their monthly benefit payments, so as to allow the state to assume a portion of the cost.

Committee on Finance and Taxation.

By Senator Barron:

S. 21. To amend Section 16-3-1, Code of Alabama 1975, relating to the composition, election and term of office of members of the state board of education, so as to provide further for such election, based on the 1980 census.

Committee on Education.

By Senator Teague:

S. 22. To regulate the vending or selling of certain items within buildings or on property of the state, its agencies, institutions and political subdivisions, to authorize and provide for such vending or selling by blind persons; and to provide for the training and licensing of blind persons to engage in such vending or selling and for the financing of the selling and vending ventures of such blind persons in these public buildings and on this public property.

Committee on Buildings and Grounds.

By Senator Smith (J) (With Notice and Proof):

S. 23. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 23, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 24. To authorize and direct the commissioner of conservation and natural resources to return by a proper conveyance to Amos Garrett that certain parcel of real property in Baldwin County heretofore conveyed by Amos Garrett to the State of Alabama to be used for the location of a highway bridge which site was abandoned by the state for that purpose and the bridge was constructed at another site.

Committee on Judiciary.

By Senator Hand (With Notice and Proof):

S. 25. Relating to Baldwin County; further providing for the medically indigent citizens of Baldwin County; fixing a definition of medically indigent persons; establishing the Baldwin County Indigent Care Board and

describing its authority, composition and duties; and providing for use by the board of certain taxes or other funds received by the board under the provisions of an approved revenue source within Baldwin County.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 25, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 26. Relating to Baldwin County; providing for and requiring purging and reidentification of the registered voters; imposing duties upon the Board of Registrars, the Judge of Probate and upon the electors whose names appear on the listing of qualified electors of the county; providing for criminal penalties for violations; and prescribing an effective date.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 26, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 27. Relating to the twenty-eighth judicial circuit in Baldwin County; to provide an expense and automobile allowance to the district attorney of said judicial circuit.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 27, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hand (With Notice and Proof):

S. 28. Providing for the distribution of Baldwin County's share of offshore oil and gas severance tax proceeds provided for said county in Section 40-20-8(a) of the Code of Alabama 1975 as amended by Act No. 83-889, H. 26 of the 1983 Fourth Special Session of the Legislature.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 28, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole (With Notice and Proof):

S. 29. Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of govern-

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ment; and providing for penalties for violations of certain provisions of this Act.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 29, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Covington (By Request):

S. 30. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama of 1975, as amended, to establish an effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Committee on Governmental Affairs.

By Senator Covington:

S. 31. To propose an amendment to the Constitution of Alabama of 1901, relating to the eradication or control of the boll weevil in cotton; allowing the Legislature, by general law, to provide for assessment of levies, financing, collection, distribution and expenditure of funds by a designated non-profit organization for the sole purpose of eradicating or controlling the boll weevil.

Committee on Agriculture,  
Conservation, and Forestry.

The above Bill was read a first time at length as required by the Constitution.

By Senators Covington, Foshee, Corbett, and Teague:

S. 32. To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

Committee on Finance and Taxation.

By Senator Figures:

S. 33. To provide for a state historic park and landmarks district in Mobile County to be known as "Africatown, U.S.A. State Historic Park and Landmarks District"; to provide for a public corporation for the purpose of developing, improving and maintaining such park and district; to prescribe the boundaries of such park and district and to authorize the Governor to enter into certain agreements with the progressive league for the development, supervision and maintenance of such park and district.

Committee on Consumer Affairs.

By Senator Covington:

S. 34. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Dale County's board of registrars meeting days.

Committee on Governmental Affairs.

By Senator Covington:

S. 35. To provide methods and procedures to be used for boll weevil eradication in cotton; to provide definitions; to allow entering into cooperative agreements; to allow inspections of premises; to require reports; to allow the establishments of quarantines and elimination zones and to provide for treatment of cotton in eliminations zones to include destruction; to allow adoption of rules and regulations and penalties for their violation; to provide for certification of a cotton growers organization and for a referendum to be conducted by said organization; to provide for assessments to be paid by growers and penalties for failure to pay assessments; to provide for the promulgation of regulations.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Covington:

S. 36. To allow persons seventeen years of age or older to donate blood without parental permission.

Committee on Building and Grounds.

By Senator Hilliard (With Notice and Proof):

S. 37. To amend Article VII of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the Board of Managers of the City of Birmingham Retirement and Relief System so as to provide that participant's loans shall be repaid in a period of forty-eight (48) months or less from the date of such loan and to provide that interest be charged on such loans in such amount as may be determined in the discretion of the Board, but not less than seven (7) percent per annum.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 37, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Hilliard:

S. 38. Relating to Civil War History; creating a state commission known as the Alabama Institute of Civil War History to be located in Birmingham; providing for a Board of Trustees; and prescribing the method of appointment, its duties and authorities, and providing for employees.

Committee on Consumer Affairs.

By Senator Hilliard (With Notice and Proof):

S. 39. To amend Article III, Section 9 of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), as amended by Act No. 791, H. 801, 1975 Regular Session (Acts 1975, p. 1585), said section relating to investment of the fund established for a retirement and relief system for each and



every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929, S. 676, 1951 Regular Session (Acts 1951, p. 1579), as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent (75%) of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent (50%) of the funds available for investment.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 39, as required in the General Acts of Alabama, 1975 Act No. 919.

MCDOWELL LEE,  
Secretary.

By Senator Hilliard:

S. 40. To provide for and create a public corporation for the purposes of flood control to be known as the Alabama Village and Valley Creeks Flood Control Authority. The office of the Authority is to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment, its duties and authorities, and to provide for employees.

Committee on Local Legislation No. 2.

By Senator Hilliard:

S. 41. Relating to Civil Rights' History; creating a state commission known as the Alabama Institute of Civil Rights' History to be located in Birmingham; providing for a Board of Trustees; and prescribing the method of appointment, its duties and authorities, and providing for employees.

Committee on Consumer Affairs.

By Senator Dixon:

S. 42. To amend Section 16-25-14 of the Code of Alabama 1975, relating to benefits generally under the teachers' retirement system, so as to provide further for certain benefits under such system.

Committee on Finance and Taxation.

By Senators Dixon, Foshee, and Covington:

S. 43. To amend Section 22-14-5 of the Code of Alabama 1975, which provides for the radiation advisory board of health, so as to provide for appointment of a veterinarian to such board.

Committee on Health and Welfare.

By Senator Dixon:

S. 44. To amend Section 36-1-6.1, Code of Alabama 1975, as amended, to allow a phase in period for employee liability insurance.

Committee on Banking and Insurance.

By Senator Little:

S. 45. To amend Section 28-6-1, Code of Alabama 1975, which provides for the definition of a native farm winery, so as to provide further for said definition.

Committee on Small Business.

By Senator Dixon:

S. 46. To amend Section 36-27-16 of the Code of Alabama 1975, relating to retirement allowances under the employees' retirement system so as to provide further for such allowances.

Committee on Finance and Taxation.

By Senators Foshee and Bedford:

S. 47. To amend Section 37-3-32 relating to Public Service Commission appropriations and increasing the registration fees of motor carrier vehicles.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Hand (With Notice and Proof):

S. 48. Relating to the Town of Gulf Shores in Baldwin County; to authorize the governing body of the Town of Gulf Shores to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2:00 o'clock P.M.; and to provide for the sale by retail licensees of the board.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 48, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole (With Notice and Proof):

S. 49. Relating to Mobile County, to amend further Section 5 of Act No. 242, S. B. 79, 1876 of the general assembly approved February 15, 1876 which regulates public schools in the County, as last amended by Act No. 480, S. 485, 1969 Regular Session (Acts 1969, p. 937), which relates to the county board of education, so as to remove language which gives the board's express consent to be sued.

Committee on Local Legislation No. 3.

I hereby certify that the notice and proof is attached to the Bill, S. B. 49, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Bedsole:

S. 50. To provide that local city and county boards of education, boards of trustees of colleges and universities and governing boards of other public supported education institutions shall provide certain leave options

for tenured professional employees who serve in the Alabama legislature and full time members of the Governor's staff.

Committee on Education.

By Senators Bailey and Teague:

S. 51. To raise the legal age for a person to attempt to purchase, to purchase, consume, possess or to transport alcoholic beverages, to provide criminal penalties, and to provide that juvenile offenders shall be incarcerated, if so sentenced, in juvenile detention facilities, and to exempt persons 19 years of age or older on the effective date of this act and certain persons authorized to make purchases from certain military liquor or package stores, pursuant to Section 28-1-3, Code of Alabama 1975.

Committee on Judiciary.

By Senators Bennett and Goodwin:

S. 52. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court may preclude the necessity for a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts upon conviction in the adult court; and, to provide an effective date.

Committee on Judiciary.

By Senator Denton:

S. 53. To amend Sections 41-9-340, 41-9-343, 41-9-347 and 41-9-355, Code of Alabama 1975, relating to the USS Alabama Battleship Commission, so as to provide for the vacation of office by a member for failure to attend meetings, to increase the monetary limits for which a contract may be executed, to provide that said park shall honor all who participated in military defense of our nation and to forgive certain debts owed by the Commission to the Alabama State Docks.

Committee on Governmental Affairs.

By Senator Hand:

S. 54. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this county.

Committee on Education.

By Senators Bennett, Amari, Teague, and Parsons:

S. 55. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill furnace and foundry commission, so that such employees would be covered by workmen's compensation.

Committee on Business and Labor  
Relations.

By Senators Bedford, Foshee and Covington:

S. 56. To amend Section 13A-11-74, Code of Alabama 1975, relating to possession of unlicensed concealed weapons, so as to permit district attorneys, supernumerary district attorneys and assistant district attorneys to carry said weapons.

Committee on Judiciary.

By Senators Corbett, Foshee, Bennett, and Bedford:

S. 57. To amend Section 40-18-15, Code of Alabama 1975, which provides for deductions in the computation of net income for individuals, so as to provide further for said deductions.

Committee on Finance and Taxation.

By Senators Bedford, Covington, Denton, and Dixon:

S. 58. To amend Section 9-2-107, Code of Alabama 1975, relating to the State Park Revolving Fund, so as to provide that up to 2% of the receipts of said fund may be reserved each year for use in major repair and maintenance service of land, buildings, and permanent equipment fixed assets; and capital improvements or alteration to land, buildings, or permanent equipment.

Committee on Finance and Taxation.

By Senators Amari, Bennett, Ellis, Strong, Parsons, Little, Smith (J), and Denton:

S. 59. Relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty for making a false report of a missing person.

Committee on Judiciary.

By Senator Parsons:

S. 60. To authorize the payment of a compensation incentive for personnel assigned by the sheriff of a county, on a regular basis, to conduct internal investigations or to assist in the accountability of funds governed by the respective sheriffs.

Committee on Governmental Affairs.

By Senators Strong and Ellis:

S. 61. To provide for the crime of library theft; to authorize, under certain circumstances, library employees or agents to detain suspected offenders if such detention is based on probable cause; to provide criminal and civil immunity for such library personnel for detentions and resulting arrests authorized under this act; to authorize arrest for the offense by law enforcement officers, without a warrant and upon probable cause; to provide a misdemeanor penalty for the offense which shall be cumulative to existing theft penalties of this state; and to require public and conspicuous display of the provisions of this act in libraries and other institutions covered by this act.

Committee on Judiciary.

By Senators Corbett and Bedford:

S. 62. To amend Section 25-3-4 of the Code of Alabama 1975, relating to investigations and adjustments of wage claim controversies by the com-

missioner of the department of labor, so as to provide further for such investigations and adjustments by prescribing certain procedures for settlement of such controversies.

Committee on Business and Labor  
Relations.

By Senators Amari, Bennett, Ellis, Strong, Parsons, Little, Smith (J), and Denton:

S. 63. Relating to exempt property and allowances under the Probate Code; to permit employers to pay to the surviving spouse or to a person with custody over surviving children any wages or salary due an employee who dies intestate, said sum being considered a part of other exempt property and allowances.

Committee on Judiciary.

By Senator deGraffenried:

S. 64. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended, replacing and specifically repealing Sections 93, 94, 211, 212, 213, 214, 217, 218, 219, 222, 224, 225 and 226 of the Constitution of 1901, as amended, and Amendments 23, 25, 53, 61, 93, 107, 108, 116, 126, 160, 212, 225, 228, 272 and 398 to said Constitution; providing for an election thereon; and prescribing an effective date for the proposed Amendment.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Little:

S. 65. To amend Section 3-1-29 of the Code of Alabama 1975, which section prohibits certain activities relating to fighting of dogs, so as to provide further for procedures relating to such prohibited activities.

Committee on Judiciary.

By Senator Little:

S. 66. To amend Section 32-5A-154, Code of Alabama 1975, which prohibits overtaking and passing school busses, so as to increase the penalties for violations.

Committee on Judiciary.

By Senator Little:

S. 67. To amend Section 41-4-50 of the Code of Alabama 1975, relating to the division of control and accounts of the department of finance so as to authorize by approval of the payee any state warrant to be deposited in or electronically transferred to any financial institution with this capability.

Committee on Banking and Insurance.

By Senators Covington and Foshee:

S. 68. Providing a supplement to the salaries of the circuit judges and

district attorney of the 12th judicial circuit to be paid in equal parts by the counties composing the circuit.

Committee on Judiciary.

By Senators Bennett, Amari, Aldridge, Hand, Bedsole, Strong, Ellis, Teague, Corbett, Figures, Bailey, Parsons, and Mitchem:

S. 69. Amending Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

Committee on Education.

By Senator Parsons:

S. 70. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and alderman, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

Committee on Governmental Affairs.

By Senators Mitchem, Barron, and Little:

S. 71. To amend Sections 2-15-131 and 2-15-133, Code of Alabama 1975, relating to the Livestock Dealers' Financial Responsibility Act, so as to include catfish in the definition of livestock and to provide when payment of purchase of catfish is to be made by the dealer.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Mitchem and Little:

S. 72. To create and establish a Natural Heritage Program in the State Parks Division of the Alabama Department of Conservation and Natural Resources; to provide for the primary purposes and location of the Natural Heritage Program; to define the responsibilities and duties of the Natural Heritage Program staff; to create a Natural Areas Advisory Committee and its duties and responsibilities; to provide for a registry of natural areas and a process for registration and rescission of registration; to provide for public access to registered areas; to create the Alabama Natural Heritage Trust Commission and its duties and responsibilities; to create an Alabama Natural Heritage Trust and provide for the composition and substantive terms thereof; to provide for the management of said trust; to provide for limited circumstances in which condemnation of any property in said trust may occur; to provide for the promulgation of rules and regulations pursuant to this act and penalties thereof; to provide for funding requests in annual budgets for costs and operating expenses; to provide for the expenditure of trust assets and income; to define the protective provisions of this act; to provide for the sale and issuance of use permits for heritage preserves, and to provide for user or subscription fees for natural area inventory information and protection of said information; and to provide for advertisement of and solicitation of donations to the Alabama Natural Heritage Program.

WHEREAS, the Alabama Legislature finds that as a part of the continuing growth of the population and development of the economy of the State it is necessary and desirable that portions of the State's rich natural and cultural diversity be set aside as heritage preserves and sites and protect it

for the benefit of present and future generations, for once disturbed they cannot be wholly restored; and

WHEREAS, such areas and features are irreplaceable as laboratories for scientific research; as reservoirs of natural materials for which the value and usefulness thereof is not yet fully known; as habitats for rare and vanishing species; and as living museums where people may observe natural biotic and environmental systems and as areas for study and enjoyment as examples of the lands, structures and related artifacts which represent significant parts of our natural and cultural heritage; and

WHEREAS, a number of independent and differing efforts, both private as well as public, have been initiated to protect some of these assets, a coordinated and concerted program is needed in order to avoid duplication and/or conflict among these and other valuable activities and to insure the maximum conservation of these resources through the establishment of a more effective and adequate official legal mechanism for identifying and recognizing and protecting such areas for their outstanding characteristics; and

WHEREAS, it is necessary and desirable to coordinate and share natural heritage information with the other southeastern states; now, therefore,

Committee on Finance and Taxation.

By Senator Smith (J):

S. 73. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the state of the superintendent or any physician of a state mental health facility or hospital in criminal proceedings, upon proper notice.

Committee on Judiciary.

By Senator Smith (J):

S. 74. To amend Act No. 83-838 of the 1983 Third Special Session of the Alabama legislature relating to reintegration of state prison inmates into society under the Supervised Intensive Restitution Program, so as to further specify the ineligibility of certain inmates convicted of certain crimes to participate in said program.

Committee on Judiciary.

By Senator Smith (J):

S. 75. To amend Sections 16-49-26 and 16-49-27, Code of Alabama 1975, which provide for the meetings and quorum of the Board of Trustees of Alabama Agricultural and Mechanical University, so as to provide further for said meetings and quorum.

Committee on Education.

By Senator Smith (J):

S. 76. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

Committee on Judiciary.

By Senator Smith (J):

S. 77. To amend § 15-22-27 to provide that an inmate whose death sentence was imposed under a statute providing life imprisonment without parole as an alternative punishment for the capital offense shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor; and to specify the sentences to which this Act applies; to provide what shall be the effect of any holding that such a limitation on parole is ineffective or invalid; and to specify the effective date of this Act.

Committee on Judiciary.

By Senator Smith (J):

S. 78. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

Committee on Agriculture,  
Conservation, and Forestry.

The above Bill was read a first time at length as required by the Constitution.

By Senator Smith (J):

S. 79. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat, corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Little:

S. 80. To amend Section 41-19-10 of the Code of Alabama 1975, relating to operation plans or budget management by state agencies/departments generally, so as to provide further for such budget management.

Committee on Finance and Taxation.



By Senator Aldridge:

S. 81. Authorizing the Alabama Forestry Commission to transfer title on certain used and obsolete equipment to a county when such equipment is scheduled for replacement.

Committee on Governmental Affairs.

By Senator Teague:

S. 82. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

Committee on Finance and Taxation.

By Senator Little:

S. 83. To establish the Revenue Forecast Control Commission to project anticipated state revenue and prohibit the legislature from appropriating more than a certain percentage of the projected revenue.

WHEREAS, the legislative fiscal office, the state finance director's office, the state revenue department, and the Center for Economics and Business Research located in Tuscaloosa, Alabama, each make independent projections of revenue anticipated to be received by the State; and

WHEREAS, each of the aforementioned projections may differ widely, and

WHEREAS, as a result of the separate projections, a true and valid anticipation of the revenues is not available to the legislature; and

WHEREAS, as a result of this lack of a valid projection, proration of appropriated funds may be necessitated; now therefore,

Committee on Finance and Taxation.

By Senators Corbett, Foshee, and Bedford:

S. 84. Relating to the administrative operations and regulatory functions and procedures of the Alabama Public Service Commission; providing for a chief administrative officer for said commission; providing for transfer of the present functions of the commissioners' technical and executive staff to appropriate positions on the professional staff of the chief administrative officer effective upon expiration of terms of the current commissioners; providing for administrative law judges to be used at all hearings; providing certain staggered terms of office for the commissioners; providing that all fees collected by the commission shall be deposited in the general fund with the commission receiving an annual appropriation therefrom and providing for supplemental effect.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Aldridge:

S. 85. To amend Section 36-22-63, Code of Alabama 1975, relating to the purchase of prior service credit for participation in the supernumerary sheriff's program, so as to extend the time within which such a purchase may be made.

Committee on Finance and Taxation.

By Senator Menton:

S. 86. To amend Section 9-12-113 of the Code of Alabama 1975, as last amended, relating to certain hook and line, net, and seine licenses, so as to provide that the cost of a commercial hook and line license is \$25.00; to provide for a charge of \$100.00 for purse seine licenses regardless of the size of the purse seines; to require name and license number tags on all nets except purse seines; to delete the definition of nonresident; and to provide that all nets fished in an illegal manner shall be declared a nuisance and shall be subject to condemnation and forfeiture.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Aldridge:

S. 87. To amend Section 9-11-264, Code of Alabama 1975, relating to strict liability for civil damages to certain persons and domestic animals of persons using traps to capture or kill certain animals, so as to delete the exemption for Lawrence County.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Foshee:

S. 88. To provide further for the Alabama Emergency Management Act, Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 20, 21, 22 and 24 of Chapter 9, Title 31, Code of Alabama 1975, so as to include certain other causes of emergencies other than those resulting from hostile military action, to encourage counties and other political subdivisions to assist in emergency management programs and to authorize state grants thereto for such programs, to provide for the appointment of directors for local organizations which aid in emergency management; to authorize political subdivisions to evacuate civilians during emergencies, to provide further for penalties for violations of said Chapter 9; and to provide continuing annual appropriations for certain emergency management programs at the governor's discretion.

Committee on Military Affairs.

By Senators Mitchem and Smith (J):

S. 89. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

Committee on Finance and Taxation.

By Senator Ellis:

S. 90. To amend Section 12-14-5, Code of Alabama 1975, which Section relates to the bail of persons charged with violations of municipal ordinances and to amend Section 12-14-70, Code of Alabama 1975, as amended, which Section relates to appeals to the circuit court from judgements of municipal courts; to establish an effective date.

Committee on Judiciary.

By Senator Holmes:

S. 91. To amend Section 11-46-23, Code of Alabama, 1975, relating to

adjusting election ward lines, so as to provide for certain adjustments made to comply with the Voting Rights Act of 1965.

Committee on Governmental Affairs.

By Senators Foshee and Bedford:

S. 92. To repeal Section 12-13-52, Code of Alabama 1975, which section fines probate judges for the appointment of certain persons as guardian ad litem.

Committee on Building and Grounds.

By Senator Foshee:

S. 93. To amend 1975 Code of Alabama, Sections 22-52-14 and 22-52-17, which relate to mental health evaluations and commitments so as to require all probate judges to utilize mental health facilities of the State of Alabama when available and to establish rates for attorney services in representing indigent persons.

Committee on Judiciary.

By Senator Bailey:

S. 94. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

Committee on Constitutional Revision.

The above Bill was read a first time at length as required by the Constitution.

By Senator Dial (With Notice and Proof):

S. 95. To provide for redivision of the county commissioner's districts in Cleburne County, Alabama; to provide for an advisory referendum on the question of the provisions of this act.

Committee on Local Legislation No. 1.

I hereby certify that the notice and proof is attached to the Bill, S. B. 95, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Corbett:

S. 96. To amend Section 40-21-82.1, Code of Alabama 1975, which provides for certain exemptions from the utility gross receipts tax, so as to include the Ladonia-Crawford Water and Fire Protection Authority within the exemptions.

Committee on Finance and Taxation.

By Senators Goodwin, Drinkard, Denton, and Menton:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell re-

funding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Committee on Finance and Taxation.

By Senator Menton:

S. 98. To amend the penalty provision of certain code sections of Article 2 of Chapter 12 of Title 9, Code of Alabama 1975, specifically Sections 9-12-32 (private reefs), 9-12-33 (culling of oysters), 9-12-42 (oyster replanting), 9-12-45 (terrapians), 9-12-46 (minimum weight of commercial shrimp), 9-12-54.7 (live bait dealers), 9-12-82 (oyster catcher license), 9-12-114 (license for wholesale and retail dealers of fresh saltwater fish), 9-12-116 (inspection of places of business), 9-12-117 (illegal tackle, illegal fishing devices or unlicensed boats or vessels), and 9-12-121 (general penalty provisions of Article 2 of Chapter 12, Title 9), so as to increase the penalties thereof.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Foshee:

S. 99. To amend 1975 Code of Alabama, Section 41-9-71, to conform to current operating procedures and laws which have been revised since passage of this act in 1935.

Committee on Finance and Taxation.

By Senators Holmes and Figures:

S. 100. To provide authority for the governing body of any class 2 municipality covered by the Employees' Retirement System of Alabama, with the consent of the Board of the Employees' Retirement System of Alabama, to provide credit for the prior service of new employees to the extent of their prior service with public employers eligible for coverage under the

Employee's Retirement System of Alabama, to provide for special membership service, to define prior service and to provide procedures.

Committee on Finance and Taxation.

By Senators Corbett, Bedford, Holmes, and Hand:

S. 101. To amend Sections 34-11-2, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-13, 34-11-15, 34-11-32, and 34-11-35 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors, so as to regulate further such registration and the fees therefor; to provide for the issuance of certificates of authorization to certain corporations, partnerships or firms practicing engineering or land surveying; and to regulate further the compensation of members of the board of registration for professional engineers and land surveyors, and to provide for corporate practice.

Committee on Governmental Affairs.

By Senator deGraffenried:

S. 102. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to authorize the Alabama Corrections Institution Finance authority to lease correctional facilities to municipal corporations, public corporations, counties, the federal government and agencies of the federal government; to provide that members, officers, directors and employees of the Authority shall not be personally liable for obligations of the Authority; to delete the limitations on the aggregate principal amount of promissory notes and bonds authorized to be issued by the Authority; to provide for the maximum maturity of bonds of the Authority and the manner of sale thereof; to provide for the security for bonds issued by the Authority; to authorize municipal corporations, public corporations and counties to convey property to the Authority and to lease correctional facilities from the Authority; to provide for lease by the Authority of vacant or unused facilities; to provide for disposition of the Authority's properties upon the dissolution of the Authority; and to exempt all leases of the Authority from the competitive bid laws.

Committee on Finance and Taxation.

By Senator Menton:

S. 103. To amend Section 25-4-10, Code of Alabama 1975, which section defines "employment" under the state unemployment compensation laws, so as to exclude from the term "employment" certain persons who perform labor in oyster and crab shops, unless certain criteria are met which would require the payment of unemployment compensation contributions by the employers of such persons.

Committee on Business and Labor  
Relations.

By Senator Corbett:

S. 104. To exempt Dixie Youth Baseball in Russell County from all state and local sales and use taxes.

Committee on Finance and Taxation.

By Senator Bishop and Dixon:

S. 105. To provide further a salary increase for certain state employ-

ees and to appropriate funds therefor for the fiscal year ending September 30, 1985.

Committee on Finance and Taxation.

By Senator Bishop and Teague:

S. 106. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

Committee on Buildings and Grounds.

By Senator Bailey:

S. 107. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a non-profit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Bedford and Foshee:

S. 108. To exempt The King's Ranch in Shelby County, Alabama, from the payment of all state, county and municipal sales and use taxes.

Committee on Student and Youth  
Activities.

By Senators Bedford, Foshee, and Covington:

S. 109. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

Committee on Governmental Affairs.

By Senator Denton:

S. 110. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1985, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for

the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Committee on Finance and Taxation.

By Senator Dial:

S. 111. To establish and create a licensing board to be known as the Alabama board of electrical contractors for the purpose of testing and licensing electrical contractors; to provide for the appointment of such members and of members of an appeal board; to authorize such board to carry out the purpose of this act; to appropriate funds for such board and to prescribe penalty for violation of this act.

Committee on Industrial Expansion,  
Economic Growth, and Jobs.

By Senator Denton:

S. 112. To amend Section 36-23-1, Code of Alabama 1975, relating to the number of constables for each county, so as to permit any county, by local legislation to abolish such office in that county.

Committee on Local Legislation No. 1.

By Senator Parsons:

S. 113. Relating to motor vehicles; requiring as a prerequisite to registration of a motor vehicle and renewal of a driver's license that every person so registering or renewing shall secure and pay the premium on a motor vehicle liability insurance policy issued by an insurance company authorized to transact business within the State of Alabama, or otherwise establish financial responsibility; to facilitate the procuring of such insurance by providing for an assigned risk plan among insurance companies for the equitable apportionment among such companies of undesirable risks and to prescribe penalty for enforcement; to prescribe penalties for violations of the provisions of this act; and to authorize the judges of probate or license commissioners to collect a fee.

Committee on Judiciary.

By Senator Denton:

S. 114. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to prohibit any person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, to hunt or discharge any firearm from, upon, or across any public road, public highway, or railroad, or their rights-of-way, logging railroads excepted; and to further prohibit any person to hunt within 100 yards of a public road, public highway, or railroad, or their rights-of-way, logging railroads excepted, with rifle or shotgun using slug or shot larger than standard number four in size, and to provide penalties for the violation thereof.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Denton:

S. 115. To amend section 32-5-17, Code of Alabama 1975, relating to

the nuisance of casting a light from a motor vehicle on real property at night, so as to change the hours of its effect.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Foshee:

S. 116. To provide for the establishment of a uniform plan of Health Insurance for Employees and, under certain conditions, retired employees, of employers participating in the Employees' Retirement System of Alabama under the provisions of § 36-27-6, Code of Alabama, 1975 as amended. To provide for the creation of the local Employees' Health Insurance Board, its authority, responsibilities, powers, and duties and to provide for the terms of its members. To prescribe the coverage which may be provided by said Board and the method of funding the cost of said coverage. To further provide that the Board upon certain findings, may develop a plan of self insurance.

Committee on Buildings and Grounds.

By Senator Bishop:

S. 117. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

Committee on Banking and Insurance.

By Senator Bishop (By Request):

S. 118. To amend Section 11-3-4.1, Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation and to provide a minimum compensation for revenue and license commissioners and to further provide for such compensation.

Committee on Governmental Affairs.

By Senator Barron:

S. 119. To update Section 40-18-31, Code of Alabama, 1975, which levies and imposes upon every corporation organized under the laws of Alabama a tax on their entire net income so as to allow separate recognition of "Subchapter S Corporations" organized under the laws of Alabama and to provide for pass-through tax treatment to shareholders of said domestic "Subchapter S Corporations" in accordance with similar provisions under federal law.

Committee on Finance and Taxation.

By Senator Smith (J):

S. 120. To amend Section 15-18-8, Code of Alabama 1975, which imposes a minimum term of confinement, upon conviction, of a sentence of 10 years or less, so as increase said minimum term; and to amend Section 15-22-50, Code of Alabama 1975, which imposes a maximum term of confinement, upon conviction, of a sentence of 10 years or less, so as to increase said maximum term.

Committee on Judiciary.



By Senator Ellis:

S. 121. To provide for "lifeline telephone service" for eligible citizens of this state and to provide for the implementation and regulation by the Alabama Public Service Commission and the Alabama Department of Pensions and Security and to provide guidelines for charges for such service.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Corbett:

S. 122. To provide further for warranties on new motor vehicles and provides for refunds for failure to conform to said warranties.

Committee on Consumer Affairs.

By Senator Goodwin:

S. 123. To protect, preserve, maintain, and enhance the scenic, recreational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.

Committee on Agriculture,  
Conservation, and Forestry.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama  
Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectively submitted.

ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama  
Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Dr. Edith Ledbetter  
P.O. Box 40  
Rogersville, AL 35652

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

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Respectively submitted.

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Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Greg Miller  
3064 Dug Hill Road  
Huntsville, AL 35811

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

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Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectively submitted.

ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Jimmie Clements  
7103 63rd Avenue East  
Tuscaloosa, AL 35401

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

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Respectively submitted.

ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Henry Kendall  
6 Carla Circle  
Birmingham, AL 35213

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

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To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

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Respectively submitted.  
ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Gaynelle Pitts  
Tram Road  
Ft. Payne, AL 35967

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

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State Capitol  
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Respectively submitted.

ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Dorothy Veach  
Roncahiah Road  
Anniston, AL 36201

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

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Respectively submitted.

ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Priscilla Malone  
1900 Melba Drive  
Dothan, AL 36031

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectively submitted.  
ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mr. Marshall Robinson  
818 Summerville Street  
Mobile, AL 36617

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectively submitted.

ELVIN STANTON,  
Executive Secretary.

Done this 21st day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mr. Robert Hughes  
Florence City Bd of Ed  
P.O. Box 324  
Florence, AL 35631

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

Done this 21st day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**ADJOURNMENT**

At 2:50 P.M., on motion of Senator Teague, in accordance with Joint Resolution and Motion heretofore adopted, the Senate adjourned until Wednesday, May 23, 1984, at 11 o'clock A.M.

**SECOND LEGISLATIVE DAY****WEDNESDAY, MAY 23, 1984**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Dr. L. Dale Huff, Pastor, First Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Charles Marshall, Prattville High School, Prattville, Alabama.

**ROLL CALL**

Present:

Senators:	Bishop	Dixon	Langford
Aldridge	Cabaniss	Ellis	Little
Amari	Corbett	Foshee	Menton
Bailey	Covington	Goodwin	Parsons
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (J)
Bedsole	Dial	Holmes	Teague

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**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the First Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senators Bennett, Cooley, Drinkard, Figures, Mitchem, Pearson, Smith (B), and Strong for today.



**RESOLUTIONS**

Senator Corbett offered the following Senate Resolution, to-wit:

S. R. 1. COMMENDING CHATTAHOOCHEE VALLEY JUNIOR COLLEGE, REGION XXII, NJCAA BASEBALL CHAMPIONS.

Which was adopted.

Senator Bedford offered the following Senate Resolution, to-wit:

S. R. 2. COMMENDING MRS. LILLIAN OPHELIA BRITNELL VAUGHN, RUSSELLVILLE, ALABAMA.

Which was adopted.

Senators Bedford and Denton offered the following Senate Resolution, to-wit:

S. R. 3. COMMENDING THE ALLISON SELLERS BENEFIT COMMITTEE, FLORENCE, ALABAMA.

Which was adopted.

Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. DECLARING JUNE 1984, "SELECTIVE SERVICE REGISTRATION AWARENESS MONTH".

WHEREAS, the Legislature of Alabama notes that over one million United States citizens have sacrificed their lives in military service to protect the rights and freedoms of all Americans, and registration for the Selective Service System is an integral part of current preparedness to preserve these rights and freedoms in the future; and

WHEREAS, peacetime registration for Selective Service contributes to the readiness of our country by greatly reducing the time required for a full defense mobilization; and

WHEREAS, the Legislature of Alabama further notes with pride that nearly 213,000 Alabamians, representing 98.54% of the state's potential registrants, have registered with the Selective Service System since resumption of registration and by so registering are contributing to the national defense preparedness of the United States; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby proclaim the month of June 1984, as "Selective Service Registration Awareness Month" in Alabama and urge all our citizens to recognize the importance of the Selective Service System in protecting our nation.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little then offered the following Senate Joint Resolution, to-wit:

S. J. R. 5. MOURNING THE DEATH OF MRS. JACQUELINE JACKSON NORMAN OF AUBURN, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama notes the untimely death of Mrs. Jacqueline (Jackie) Jackson Norman of Auburn, Alabama, on May 16, 1984, at the early age of just 43 years; and

WHEREAS, Mrs. Norman, a native of Rockford, Alabama, and a graduate of Talladega High School and Auburn University, had held teaching positions at Auburn Junior High School, Tuskegee, Chavala, Central in Phenix City and at Holy Trinity School; and

WHEREAS, Mrs. Norman, who at the time of her death was serving as executive director of the Auburn Chamber of Commerce, was a prominent community leader who worked with loyal enthusiasm and support in numerous capacities of leadership and involvement; and

WHEREAS, in addition to her administrative duties with the Auburn Chamber of Commerce, Mrs. Norman also was a successful businesswoman and was a member of such organizations as the Auburn High School Quarterback Club, Alpha Gamma Delta Sorority, Mortar Board, Auburn Beautification Council and the Auburn Heritage Association; and

WHEREAS, she also served on the administrative board of her church, Auburn United Methodist Church; as secretary to the Auburn Industrial Development Board; and as alumni advisor to the Auburn Chapter of Mortar Board; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mrs. Jacqueline Jackson Norman of Auburn, Alabama, and extend our very deepest sympathy to her husband, Mr. Dan Norman; her sons, Drew and John Norman; her mother, Mrs. Cora Lee Newell; and other family members, whose sorrow we truly share and for whom copies of this resolution shall be provided.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Little then offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. HONORING HAMEL JONES UPON HIS RETIREMENT FROM AUBURN UNIVERSITY.

WHEREAS, Hamiel Jones, student, instructor, counselor and administrator at Auburn University since 1957, retired April 30, 1984; and

WHEREAS, the native of Birmingham first entered the Methodist Ministry in 1945 and he served in that ministry until 1982, which ministry took him to serve the missions in Burma until he entered Auburn University in 1957; and

WHEREAS, many of the Auburn students and alumni have felt his outreach, efficiency, compassion and intelligent counseling in the engineering school from which he graduated in 1967; and

WHEREAS, Hamiel Jones received his civil engineering degree in 1967 after ten long years of work-study, which included counseling the enrolling students in civil engineering; and

WHEREAS, Hamiel Jones has won a place in the hearts of Auburn University faculty, staff and administrators as well as the students for his mild manner and dedication; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby extend to Mr. Hamiel Jones congratulations for his commendable, praiseworthy and dedicated service to Auburn University and do convey best wishes for an active retirement of travel, carpentry, gardening and the enjoyment of his family.

BE IT FURTHER RESOLVED, That we do direct that the Secretary of the Senate send a copy of this resolution to Mr. Jones so that he may know of our esteem.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. EXPRESSING LEGISLATIVE INTENT CONCERNING AN APPROPRIATION TO THE ALABAMA SMALL BUSINESS PROCUREMENT SYSTEM.

WHEREAS, the Legislature has appropriated \$150,000 to the Alabama Small Business Procurement System for the fiscal year ending September 30, 1985, through the passage of Act No. 84-330, H. 231 of the 1984 Regular Session; and

WHEREAS, in 1982 the U. S. Government spent \$3.2 billion for procurement in Alabama and Alabama firms received only five percent (5%) of that business; and

WHEREAS, the purpose of the System is to build on the existing network of twelve (12) Small Business Development Centers (SBDC's) in Alabama to develop government procurement/contracting opportunities for Alabama small businesses; and

WHEREAS, the proposed automated data-based State of Alabama Small Business Procurement System would have the following configuration:

1. System development, maintenance, and control functioning would be housed at the ASBDC State Office at The University of Alabama in Birmingham.

2. System Input—Information concerning invitations for bid (IFB), pre-bid announcements and related contract data would be accumulated from federal government purchasing offices in Florida, Georgia, Alabama, Mississippi, Louisiana, and Tennessee; State of Alabama purchasing offices; local government agencies including county, city, school board, and related agencies; and prime contractors and private industry summarized and entered into the system. Contracting capabilities of Alabama firms would be entered into the system.

3. System Output—System would match each client firm's capabilities with contracting opportunities and prepare pre-mailer to firm as notification of the contracting opportunity on a weekly basis. This output would occur at each of the twelve (12) local SBDC's. Local SBDC staff would provide follow-through with client firms and on-going consultation; and

WHEREAS, the proposed System, after two (2) years of operation, should double the amount of government contracting dollars going to Alabama's small businesses; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby declare that it is

the legislative intent that the specific \$150,000 appropriation within Act No. 84-330 of the 1984 Regular Session be exclusively utilized for the aforementioned purposes of the Alabama Small Business Procurement System.

On motion of Senator Holmes, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. NAMING H. B. 46, THE "TURNHAM-STRONG ACT."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 46, as enacted, shall be known as the "Turnham-Strong Act."

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee then offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. NAMING H. B. 625, THE "DAVIS-STRONG ACT".

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 625, as enacted, shall be known as the "Davis-Strong Act."

On motion of Senator Smith (J), the Rules were suspended and the Resolution was adopted by the Senate.

Senator Foshee then offered the following Senate Joint Resolution, to-wit:

S. J. R. 10. NAMING H. B. 294, ACT 84-306 OF THE 1984 REGULAR SESSION, THE "BIDDLE-STRONG ACT".

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 294, Act 84-306 of the 1984 Regular Session, shall be known as the "Biddle-Strong Act."

On motion of Senator Smith (J), the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 11. COMMENDING DR. ROGER C. RINN OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 12. COMMENDING MR. JOE D. WORLEY FOR OUTSTANDING SERVICE TO THE HUNTSVILLE COMMUNITY.

Which were adopted.

Senator Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. CREATING A JOINT INTERIM COMMITTEE TO STUDY SMALL BUSINESS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to be composed of three members of the Senate, appointed by the presiding officer and three members of the House of Representatives, appointed by the Speaker. The committee shall study all aspects of the problems facing small business, including any recommenda-

tions in the area of assistance. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

BE IT FURTHER RESOLVED, That upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee, which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman. Total expenditures of the committee shall not exceed \$6,000.00.

On motion of Senator Holmes, the Rules were suspended and the Resolution was adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Kvalheim:

H. J. R. 14. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE PURCHASE OF A PORTION OF DAUPHIN ISLAND.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the feasibility of the purchase by the State of certain areas of Dauphin Island. The committee shall specifically study all aspects of purchasing approximately 8 miles on the western end of Dauphin Island, including but not limited to the availability of funding, the exact description of the land involved and the area's usage after purchase by the State. Said committee shall be composed of six members, three members to be appointed by the President of the Senate and three members to be appointed by the Speaker of the House of Representatives. The chairman and vice chairman shall be selected from among the membership.

Upon request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses incurred within the State for each day he attends a meeting of the committee when the legislature is not in session or when the legislature is in recess without pay. Such sums shall be paid out of any funds appropriated to the use of the legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, the total of such sums shall not exceed \$7,000.00.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 14, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hettinger and Coleman:

**H. J. R. 25. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.**

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of all the colleges and universities which offer baccalaureate or graduate programs in the field of engineering. The commission shall be composed of a representative from each of the following institutions of higher learning: The University of Alabama, the University of Alabama in Birmingham, the University of Alabama in Huntsville, the University of South Alabama, Auburn University, and Tuskegee Institute. Each institutional representative shall be appointed by the respective university president, shall be a full time faculty member of the institution, and shall serve at the president's discretion and without compensation. The six-member commission shall issue a written report to the Governor and legislature not later than the fifth legislative day of the 1985 Regular Session. Upon the issuance of said report, the commission shall terminate.

**BE IT FURTHER RESOLVED,** That, additionally, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state junior, community and technical colleges with specific emphasis on training of technical support personnel for high technology programs. This assessment shall be conducted by a six-member commission who shall serve without compensation, shall be appointed by the Chancellor of the state's junior, community, and technical colleges and shall be in the full time employ of a junior, community, or technical college. The six-member commission shall issue a written report to the Governor and legislature not later than the fifth legislative day of the 1985 Regular Legislative Session.

**RESOLVED FURTHER,** That, in addition, there is hereby created an interim commission to conduct a comprehensive assessment of the human and capital resource needs of the state's elementary and secondary schools in the fields of science and mathematics. This assessment shall include: (1) specific recommendations regarding the appropriate number of science and math teachers, (2) measures to encourage current math and science teachers to pursue post-baccalaureate studies in the fields of science and mathematics and (3) programs to promote the overall quality of instruction in the fields of science and mathematics. This assessment shall be conducted by a six-member commission who shall serve without compensation and shall be appointed by the state superintendent of education. The commission shall issue a written report to the Governor and legislature not later than the fifth legislative day of the 1985 Regular Legislative Session.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 25, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Laird:

H. J. R. 20. CREATING A BUSINESS AND LABOR POLICY GROUP TO STUDY VARIOUS ASPECTS AFFECTING SMALL BUSINESSES.

WHEREAS, the Alabama Legislature hereby finds and declares:

(1) That the essence of the American economic system is free competition;

(2) That only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured;

(3) That small business stands as a symbol of American character and spirit which includes the traits of individual initiative, self-reliance and creativity; and

(4) That small business has been a major positive factor in the political, economic and social development of the state; and

(5) That the future welfare of the state depends on the continued development of small business; and

(6) That the opportunity for all people to participate in a manner and method of their own choosing has been a hallmark of our free enterprise system; and

(7) That the people of the State of Alabama must be assured of the opportunity and right to participate in our system of free enterprise; and

(8) That it is the sense of the people of Alabama that private enterprise and small business entrepreneurship are essential to the preservation of individual liberty and freedom for all our citizens; and

(9) That all citizens of the State of Alabama have the right to live in an economically diverse society; and

(10) That all citizens of the State of Alabama have the right to own and manage their own business; and

(11) That all citizens of the State of Alabama have an equal entrepreneurial opportunity to participate in our free enterprise system regardless of race, creed and sex; and

(12) That it shall be the declared policy of the people and the legislature of the State of Alabama to preserve, protect and foster the creation, development and growth of small business in the state; and

(13) That it shall be the policy of the legislature that all agencies, departments, bureaus and instrumentalities of the state government shall take

all possible measures to preserve these rights and aggressively foster small business opportunity; and

(14) That the best method of furthering such legislative policies is through the establishment of a permanent state commission for small business development; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a permanent business and labor policy group to study various aspects affecting management and labor. It shall be the duty of this task force to promote the development of legislation affecting small business regulatory matters including but not limited to: taxation, licensing, loan programs, unemployment, workmen's compensation, co-employee's liability, simplification of government rules and regulations, technical assistance and assistance in industrial development for both incorporated and unincorporated small businesses. Members of the task force shall include the President of the Alabama Labor Council, the Director of the Alabama Chamber of Commerce, and two members from the business community and two members from the labor community to be appointed by the Governor for terms of four years. In addition, the Speaker of the House of Representatives shall appoint two members from the House and the Lieutenant Governor shall appoint two members from the Senate, one from business and one from labor in each respective house. The chairman of the Joint Legislative Committee on Small Business shall serve as chairman of the task force. Members of the legislature shall be reimbursed for expenses from funds appropriated for use by the legislature.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 20, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Penry and McMillan:

H. J. R. 22. CONGRATULATING THE FAIRHOPE PIRATES FOR WINNING THE CLASS 4-A STATE BASEBALL CHAMPIONSHIP.

Also:

By Rep. Rogers:

H. J. R. 23. COMMENDING MR. SYLVESTER STEWART OF "SLY AND THE FAMILY STONE."

Also:

By Rep. Butler:

H. J. R. 24. COMMENDING MABLE AND HASKELL SUMRALL, HUNTSVILLE, ALABAMA, ON THE OCCASION OF THEIR 55TH WEDDING ANNIVERSARY.



Also:

By Rep. Nicholson:

H. J. R. 26. CONGRATULATING MR. AND MRS. ROGER DUTTON ON THE BIRTH OF A DAUGHTER, KATIE SCARLETT.

Also:

By Rep. Nicholson:

H. J. R. 27. CONGRATULATING WALKER REGIONAL MEDICAL CENTER, INC. ON BECOMING ACCREDITED.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 22, 23, 24, 26, and 27, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Turner:

H. J. R. 5. COMMENDING COMMISSION PRESIDENT DAN WILEY.

Also:

By Rep. Blake:

H. J. R. 7. COMMENDING "THE BAMA RAMBLERS" FROM PELL CITY, ALABAMA.

Also:

By Rep. Blake:

H. J. R. 8. CONGRATULATING MR. AND MRS. JESSE ORBON DAFFRON ON THE OCCASION OF THEIR GOLDEN WEDDING ANNIVERSARY.

Also:

By Rep. Laird:

H. J. R. 9. COMMENDING MR. BOBBY C. BOLT OF DELTA, ALABAMA, STATE FFA'S FUTURE FARMER OF THE YEAR, 1984.

Also:

By Rep. Butler:

H. J. R. 10. COMMENDING MR. HERBERT CLAYTON BATT OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL AND COMMUNITY SERVICE.

Also:

By Rep. Butler:

H. J. R. 11. COMMENDING MR. WILLIAM F. DAVOREN FOR OUTSTANDING PROFESSIONAL ACCOMPLISHMENT AND SERVICE TO THE HUNTSVILLE COMMUNITY.

Also:

By Reps. Moore and Tanner:

H. J. R. 19. COMMENDING VINCENT HIGH SCHOOL BASEBALL TEAM.

Also:

By Rep. Butler:

H. J. R. 12. COMMENDING BOBBY KELLER OF MADISON, ALABAMA, STATE ESSAY CONTEST AWARD WINNER.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 5, 7, 8, 9, 10, 11, 19, and 12, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### RESOLUTIONS

Senator Langford offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. CREATING A JOINT INTERIM COMMITTEE TO STUDY ALABAMA'S ELECTION LAWS.

WHEREAS, Alabama's election laws contain many conflicting provisions which create confusion on the part of voters, poll workers and officials charged with the responsibility for carrying out elections; and

WHEREAS, election laws should provide qualified voters with an efficient and convenient method of casting ballots while assuring that each vote is fairly counted; and

WHEREAS, recent elections have highlighted some of the deficiencies of Alabama's election laws; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That in order to suggest to State Legislators sound, workable and fair laws for administering Alabama's elections, there is hereby created a Joint Interim Committee on Election Law Study, to be composed of six (6) members of the Legislature—three (3) from the House, to be appointed by the Speaker of the House, and three (3) from the Senate, to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to analyze the present Alabama election laws and to make such recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the election officials of this state to better to meet and supply the needs and demands of the citizens of this state.

BE IT FURTHER RESOLVED, That the Committee shall report its findings no later than the fifth legislative day of the 1985 Regular Session.

The Secretary of the Senate or Clerk of the House is hereby required to provide such personnel as the Committee shall deem necessary. Each member of the Committee shall be entitled to regular legislative compensation, per diem and travel expenses for each day he or she attends a meeting of the Committee which shall be paid out of funds appropriated to the use of the Legislature, provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of five thousand dollars (\$5,000.00). The Committee shall organize itself at the first meeting and elect from among its membership a Chairman and a Vice-Chairman.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 15. COMMENDING DR. LEO DE ROSIER OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND COMMUNITY SERVICE.

Also:

S. R. 16. COMMENDING DR. THOMAS MCKAY GRIGGS ON HIS OUTSTANDING MEDICAL CONTRIBUTIONS AND SKILLS.

Also:

S. R. 17. COMMENDING DR. SAM J. CITRANO, PROMINENT HUNTSVILLE, ALABAMA, DENTIST AND CIVIC LEADER.

Also:

S. R. 18. COMMENDING MR. JOHN HAROLD SHIELDS, II, FOR OUTSTANDING COMMUNITY SERVICE.

Which were read and referred to the Standing Committee on Rules.

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. MOURNING THE DEATH OF MR. LEONARD LOVVORN COOLEY OF CULLMAN COUNTY, ALABAMA.

WHEREAS, the Legislature of Alabama grievously records the death of Mr. Leonard Lovvorn Cooley of the Fairview Community of Cullman County, Alabama, on May 19, 1984; and

WHEREAS, Mr. Cooley, a native and lifelong resident of Cullman County, also was a lifelong farmer and was noted for his ingenuity in introducing innovative methods which were reflected in the success of his extensive, modernized farming operation; and

WHEREAS, a former county committee member of the Agricultural Stabilization and Conservation Service, Mr. Cooley also had been actively involved for many years in the leadership of the local farmer's cooperative, and was a member and supporter as well of numerous other civic and community organizations; and

WHEREAS, Mr. Cooley is survived by one son, our friend State Senator Steve Cooley, and by his daughter, Mrs. Susan Cooley Puckett, whose grief in the death of their beloved father is a sorrow we truly share; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH

HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mr. Leonard Lovvorn Cooley of Cullman County, Alabama, and direct that copies of this resolution be provided for our friend, Steve Cooley, and for Mr. Cooley's daughter, Mrs. Susan Puckett.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Teague then offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. NAMING HOUSE BILL 670 THE BROWDER EDUCATIONAL REFORM ACT.

WHEREAS, Representative Glen Browder was the sponsor of House Bill 670 and worked diligently toward the passage of this bill, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That House Bill 670 shall be known as the Browder Educational Reform Act.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

#### BILL RE-REFERRED

Senator Dial, Chairperson of the Standing Committee on Military Affairs, moved that the following Bill, S. B. 88, be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 88, re-referred to the Standing Committee on Finance and Taxation.

#### COMMUNICATION FROM THE STATE SUPERINTENDENT OF EDUCATION

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
O. H. Delchamps, Jr.	Mobile, AL	1st	1988

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.

Hazel M. Marshall  
Notary.

**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education, relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
Winton M. Blount	Montgomery, AL	2nd	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.

Hazel M. Marshall  
Notary.

**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education, relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

**JOURNAL OF THE SENATE, 1984  
2nd Day**

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
Cleophus Thomas, Jr.	Anniston, AL	3rd	1987

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.

Hazel M. Marshall  
Notary.

**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education, relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
John T. Oliver, Jr.	Jasper, AL	4th	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.

Hazel M. Marshall  
Notary.

**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education,

relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
Frank H. Bromberg, Jr.	Birmingham, AL	6th	1986

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.

Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.

Hazel M. Marshall  
Notary.

**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education, relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**

The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
Thomas E. Rast	Birmingham, AL	6th	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.Hazel M. Marshall  
Notary.**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education, relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.

**COMMUNICATION FROM THE STATE SUPERINTENDENT  
OF EDUCATION**The Alabama State Senate  
State Capitol  
Montgomery, Alabama

Gentlemen:

In compliance with Amendment 399 of the Constitution of Alabama, I hereby certify to the Senate of Alabama that the following person has been elected as a member of the University of Alabama Board of Trustees by the members of said Board and in the manner prescribed by the Constitution on 9/10 or 12/3/83:

NAME	ADDRESS	DISTRICT	EXPIRATION OF TERM
Sandral Hullett	Eutaw, AL	7th	1989

Respectfully submitted,

WAYNE TEAGUE,  
State Superintendent of Education.Sworn to and Subscribed  
before me on the 22nd  
day of May, 1984.Hazel M. Marshall  
Notary.**COMMUNICATION FROM SUPERINTENDENT OF  
EDUCATION**

The foregoing Communication from the Superintendent of Education, relative to an appointment to the Board of Trustees of the University of Alabama, was read and referred to the Standing Committee on Rules.



## INTRODUCTION OF BILLS

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator deGraffenried:

S. 124. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401(k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

Committee on Finance and Taxation.

By Senator Bailey:

S. 125. To provide a four week residential summer school program for 400 gifted and talented students in high school grades ten and eleven to expand their cognitive and affective skills in the fields of science, mathematics and language.

Committee on Education.

By Senators Goodwin, Bishop, Dixon, Barron, Dial, Hand, Cabaniss, Bailey, and Bedsole:

S. 126. To amend various sections of Chapter 5, Title 21, Code of Alabama 1975, which relate to workman's compensation in Alabama, to limit civil actions by one employee against another co-employee of the same employer (co-employee suits), to state legislative findings, specifically to amend Section 25-5-1 of the Code of Alabama 1975, so as to provide that the inclusion of an employer's insurer within the definition of "employer" shall not provide the insurer with complete immunity from liability to an injured employee, or his dependents in the case of his death; to delete provisions in subsection (a) of Section 25-5-11 of the Code of Alabama 1975, excluding from the definition of "party other than the employer" an officer, director, agent, servant or employee of the same employer, or his personal representative, and any workers' compensation carrier of the employer, or any officer, director, agent, servant, or employee of such carrier, and any labor union, or any official or representative thereof making a safety inspection for the benefit of the employer or its employees; to amend Section 25-5-11 of the Code of Alabama 1975, to provide that an injured employee, or his dependents in the case of his death, may bring an action for damages against any workers' compensation insurance carrier of the employer or any officer, director, agent, servant or employee of such carrier or any labor union, or any official or representative thereof, or an officer, director, agent, servant or employee of the same employer, or his personal representative, only for wilful conduct which results in or proximately causes injury or death to the employee; to amend Section 25-5-53 of the Code of Alabama 1975, to extend immunity from civil liability for all causes of action except those based upon wilful conduct to any workers' compensation insurance carrier of the employer or any officer, director, agent, servant or employee of

such carrier and to any labor union or any official representative thereof, and to any officer, director, agent, servant or employee of the same employer or his personal representative; to amend Section 25-5-68 of the Code of Alabama 1975, to provide that, effective July 1, 1984, the maximum weekly benefit shall be 80 percent, rather than 66  $\frac{2}{3}$  percent, of the average weekly wage for the state of Alabama, but not more than, for permanent partial disability benefits, \$190 per week; to amend Section 25-5-77 of the Code of Alabama 1975, to provide that an employee dissatisfied with the first physician or surgeon selected by the employer may select a second physician or surgeon from a panel of four selected by the employer; to provide that an employee or employer may obtain records from any hospital, clinic or other facility at which an employee receives treatment for an injury received on the job; to provide that the foregoing amendments and clarification are applicable to Articles 4, 5, 6 and 7 of Chapter 5 of Title 25 of the Code of Alabama 1975; and to further require employers to pay for a two year period, beginning July 1, 1984, a special assessment of one quarter of one percent of compensation benefits paid by the employer into a fund entitled "Workers' Compensation Administrative Trust Fund" to defray expenses of the Department of Industrial Relations; and to authorize the expenditure of a sum not to exceed \$269,000 from the second injury trust fund for the purchase of computer equipment and supplies by the Department of Industrial Relations, provided the second injury trust fund exceeds \$1,000,000 by June 30, 1985.

Committee on Business and Labor  
Relations.

By Senator Langford:

S. 127. To exempt any qualified organization from the payment of any state, county or local taxes of any nature on proceeds from any lawful bingo operation.

Committee on Finance and Taxation.

By Senator Langford:

S. 128. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting, so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

Committee on Governmental Affairs.

By Senator Covington:

S. 129. To amend Section 41-5-19 of the Code of Alabama 1975, so as to further provide that members of the Legislative Committee on Public Accounts shall receive their legislative pay and expense allowance and mileage for each meeting of the Committee.

Committee on Finance and Taxation.

By Senator Bailey (By Request):

S. 130. To empower the department of conservation and natural resources to promulgate rules and regulations that will allow only traps that catch and hold animals alive may be used in the trapping of fur-bearing animals in this state; to prescribe penalties for violation of such regulations.

Committee on Agriculture,  
Conservation, and Forestry.

By Senators Bishop and Parsons:

S. 131. To amend Sections 25-9-84, 25-9-88 and 25-9-171, Code of Alabama 1975, relating to coal mine safety, so as to provide further regulations regarding mine ventilation and mine electrical equipment.

Committee on Commerce,  
Transportation, and Utilities.

By Senator Holmes:

S. 132. To amend sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-225 and 8-17-226, Code of Alabama 1975, which provide for the regulation of fireworks in Alabama, so as to revise the definition of "retailer" to include provisions for seasonal retailers; to revise the definition of "distributor" to include provisions for all persons making sales of fireworks for resale; to require all permits to be displayed; to require persons shipping fireworks within the state to apply for permits; to prohibit mail order sales of fireworks; to provide further for permit fees and the distribution of proceeds therefrom; to provide further for the prohibition of the sale of certain fireworks; to provide further for the display of fireworks; to prohibit sales of fireworks to persons under 16, and to provide for the sale of confiscated fireworks.

Committee on Small Business.

By Senator deGraffenried:

S. 133. To amend Sections 15-12-20, 15-12-21, 15-12-22 and 15-12-24 of the Code of Alabama 1975, relating to defense of indigents, so as to provide further for representation of indigents; and to provide further for the compensation of counsel and reimbursement for expenses incurred; to authorize the state comptroller to withdraw certain amounts from the fair trial tax fund to cover the expenses of administering indigent defense; and to amend Section 12-19-252 of the Code of Alabama 1975, so as to further provide for annual appropriations from the fair trial tax fund to pay the withdrawals of the state comptroller.

Committee on Judiciary.

By Senator Cabaniss:

S. 134. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this Act.

Committee on Judiciary.

By Senator Bailey:

S. 135. To amend Section 9-14-27, Code of Alabama 1975, as last amended, relating to length of term of concession contracts, so as to extend the allowable term for state park concession contracts from six to ten years and the maximum term where major expenditures are made by concessionaire from twelve to twenty years.

Committee on Agriculture,  
Conservation, and Forestry.

By Senator Holmes:

S. 136. To amend Section 40-20-2, Code of Alabama 1975, so as to

provide certain exemptions for occluded natural gas produced from coal seams and to provide for an expiration date.

Committee on Finance and Taxation.

By Senator Langford:

S. 137. To amend Sections 17-10-3 and 17-10-5, Code of Alabama, 1975, relating to application to vote by absentee ballots and the ballot therefor, so as to permit certain eligible qualified electors of Alabama to apply for and to vote a "write-in" absentee ballot in certain primary elections and at the same time the runoff and general elections; to provide that this act does not apply to municipal elections; and to provide an effective date.

Committee on Governmental Affairs.

By Senator Langford:

S. 138. To amend Section 24-1-24, Code of Alabama 1975, relating to the municipal housing authorities so as to provide further that at least one commissioner shall be a tenant of the municipal housing authority.

Committee on Governmental Affairs.

By Senator Denton:

S. 139. To amend section 5-2-120, Code of Alabama 1975, which provides for the appointment of the credit union board of the bureau of credit unions and to amend Section 5-2-121 which provides for meetings of the credit union board of the bureau of credit unions, and to amend Section 5-17-7 which provides for payment of examination fees by credit unions.

Committee on Banking and Insurance.

By Senator Denton:

S. 140. To amend section 32-8-2 of the Code of Alabama 1975, relating to the Uniform Certificate of Title and Antitheft Act, so as to redefine and clarify the definition of "owner".

Committee on Commerce,  
Transportation, and Utilities.

By Senator Bishop:

S. 141. To amend Section 16-13-190 of the Code of Alabama 1975 so as to validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of such tax in the consolidated district resulting from such consolidation.

Committee on Education.

## REPORTS OF COMMITTEES

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Menton, Mitchem, Denton, Corbett, Goodwin, and Teague:

S. 14. To provide that certain legislative employees shall be eligible to participate as members in the state employees' retirement system of Alabama and in the state employees' health insurance plan; to provide the eligibility of such employees and contributions required from the employee and employer; to permit certain such legislative employees to purchase certain prior creditable service on a pro rata basis for the retirement system and the terms therefor.

By Senator Covington:

S. 36. To allow persons seventeen years of age or older to donate blood without parental permission.

By Senators Teague, Covington, Denton, Foshee, Parsons, and Smith (B):

S. 3. To amend Section 34-30-22, Code of Alabama 1975, which provides for the qualifications of applicants for licensed social workers, so as to provide further for said qualifications.

By Senators Foshee and Bedford:

S. 92. To repeal Section 12-13-52, Code of Alabama 1975, which section fines probate judges for the appointment of certain persons as guardian ad litem.

By Senators Bishop and Teague:

S. 106. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

By Senator Foshee:

S. 116. To provide for the establishment of a uniform plan of Health Insurance for Employees and, under certain conditions, retired employees, of employers participating in the Employee's Retirement System of Alabama under the provisions of § 36-27-6, Code of Alabama, 1975 as amended. To provide for the creation of the local Employees' Health Insurance Board, its authority, responsibilities, powers, and duties and to provide for the terms of its members. To prescribe the coverage which may be provided by said Board and the method of funding the cost of said coverage. To further provide that the Board upon certain findings, may develop a plan of self insurance.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Smith (J) (With Notice and Proof):

S. 23. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

By Senator Hand (With Notice and Proof):

S. 25. Relating to Baldwin County; further providing for the medically indigent citizens of Baldwin County; fixing a definition of medically indigent persons; establishing the Baldwin County Indigent Care Board and

describing its authority, composition and duties; and providing for use by the board of certain taxes or other funds received by the board under the provisions of an approved revenue source within Baldwin County.

By Senator Hand (With Notice and Proof):

S. 26. Relating to Baldwin County; providing for and requiring purging and reidentification of the registered voters; imposing duties upon the Board of Registrars, the Judge of Probate and upon the electors whose names appear on the listing of qualified electors of the county; providing for criminal penalties for violations; and prescribing an effective date.

By Senator Hand (With Notice and Proof):

S. 27. Relating to the twenty-eighth judicial circuit in Baldwin County; to provide an expense and automobile allowance to the district attorney of said judicial circuit.

By Senator Hand (With Notice and Proof):

S. 28. Providing for the distribution of Baldwin County's share of offshore oil and gas severance tax proceeds provided for said county in Section 40-20-8(a) of the Code of Alabama 1975 as amended by Act No. 83-889, H. 26 of the 1983 Fourth Special Session of the Legislature.

By Senator Hand (With Notice and Proof):

S. 48. Relating to the Town of Gulf Shores in Baldwin County; to authorize the governing body of the Town of Gulf Shores to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2:00 o'clock P.M.; and to provide for the sale by retail licensees of the board.

By Senator Dial (With Notice and Proof):

S. 95. To provide for redivision of the county commissioner's districts in Cleburne County, Alabama; to provide for an advisory referendum on the question of the provisions of this act.

By Senator Denton:

S. 112. To amend Section 36-23-1, Code of Alabama 1975, relating to the number of constables for each county, so as to permit any county, by local legislation to abolish such office in that county.

Senator Bedford, Chairperson of the Standing Committee on Student and Youth Activities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Bedford and Foshee:

S. 108. To exempt The King's Ranch in Shelby County, Alabama, from the payment of all state, county and municipal sales and use taxes.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Holmes:

S. 17. To provide for the establishment of the Special Services Divi-

sion of the District Attorney's Office of each Judicial Circuit and further establish a unit for the expedient treatment of worthless checks.

By Senator Little:

S. 45. To amend Section 28-6-1, Code of Alabama 1975, which provides for the definition of a native farm winery, so as to provide further for said definition.

Senator Smith (J), Chairperson of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bennett:

S. 16. To authorize certain Mutual Aid Associations to increase their paid-in capital.

By Senator Dixon:

S. 44. To amend Section 36-1-6.1, Code of Alabama 1975, as amended, to allow a phase in period for employee liability insurance.

By Senator Little:

S. 67. To amend Section 41-4-50 of the Code of Alabama 1975, relating to the division of control and accounts of the department of finance so as to authorize by approval of the payee any state warrant to be deposited in or electronically transferred to any financial institution with this capability.

By Senator Bishop:

S. 117. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 8. Relating to the collection of reasonable fees associated with producing criminal offender records for inspection.

By Senator Teague:

S. 9. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license plate of a vehicle or an engine, so as to provide for the forfeiture and condemnation of certain items seized pursuant to this section.

By Senator Teague:

S. 10. Relating to the functions of the Alabama board of funeral service; to amend Sections 34-13-1, 34-13-50, 34-13-55, 34-13-57, 34-13-70, 34-13-72, 34-13-90, 34-13-130 and 34-13-132 of the Code of Alabama 1975, so as to clarify the educational requirements of applicants for examination and licensure; to extend the time in which a license may be reinstated; to provide for payment of actual cost of any examination; and to provide further

for terms of service of an apprenticeship and the due date for the annual report of an apprentice.

By Senator Teague:

S. 11. To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 providing for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

By Senators Bennett and Goodwin:

S. 52. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court may preclude the necessity for a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts upon conviction in the adult court; and, to provide an effective date.

By Senators Amari, Bennett, Ellis, Strong, Parsons, Little, Smith (J), and Denton:

S. 59. Relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty for making a false report of a missing person.

By Senators Strong and Ellis:

S. 61. To provide for the crime of library theft; to authorize, under certain circumstances, library employees or agents to detain suspected offenders if such detention is based on probable cause; to provide criminal and civil immunity for such library personnel for detentions and resulting arrests authorized under this act; to authorize arrest for the offense by law enforcement officers, without a warrant and upon probable cause; to provide a misdemeanor penalty for the offense which shall be cumulative to existing theft penalties of this state; and to require public and conspicuous display of the provisions of this act in libraries and other institutions covered by this act.

By Senators Amari, Bennett, Ellis, Strong, Parsons, Little, Smith (J), and Denton:

S. 63. Relating to exempt property and allowances under the Probate Code; to permit employers to pay to the surviving spouse or to a person with custody over surviving children any wages or salary due an employee



who dies intestate, said sum being considered a part of other exempt property and allowances.

By Senator Little:

S. 65. To amend Section 3-1-29 of the Code of Alabama 1975, which section prohibits certain activities relating to fighting of dogs, so as to provide further for procedures relating to such prohibited activities.

By Senator Little:

S. 66. To amend Section 32-5A-154, Code of Alabama 1975, which prohibits overtaking and passing school busses, so as to increase the penalties for violations.

By Senator Smith (J):

S. 73. To amend Section 22-50-22, Code of Alabama 1975, which exempts the superintendent of, or a physician of, the mental health board from being a witness in certain cases, so as to permit depositions to be taken by the state of the superintendent or any physician of a state mental health facility or hospital in criminal proceedings, upon proper notice.

By Senator Smith (J):

S. 76. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

By Senator Smith (J):

S. 77. To amend § 15-22-27 to provide that an inmate whose death sentence was imposed under a statute providing life imprisonment without parole as an alternative punishment for the capital offense shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor; and to specify the sentences to which this Act applies; to provide what shall be the effect of any holding that such a limitation on parole is ineffective or invalid; and to specify the effective date of this Act.

By Senator Ellis:

S. 90. To amend Section 12-14-5, Code of Alabama 1975, which Section relates to the bail of persons charged with violations of municipal ordinances and to amend Section 12-14-70, Code of Alabama 1975, as amended, which Section relates to appeals to the circuit court from judgments of municipal courts; to establish an effective date.

By Senator Smith (J):

S. 120. To amend Section 15-18-8, Code of Alabama 1975, which imposes a minimum term of confinement, upon conviction, of a sentence of 10 years or less, so as to increase said minimum term; and to amend Section 15-22-50, Code of Alabama 1975, which imposes a maximum term of confinement, upon conviction, of a sentence of 10 years or less, so as to increase said maximum term.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a

favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bailey:

S. 107. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a non-profit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

By Senator Covington:

S. 31. To propose an amendment to the Constitution of Alabama 1901, relating to the eradication or control of the boll weevil in cotton; allowing the Legislature, by general law, to provide for assessment of levies, financing, collection, distribution and expenditure of funds by a designated non-profit organization for the sole purpose of eradicating or controlling the boll weevil.

The above Bill was read a second time at length as required by the Constitution.

By Senator Covington:

S. 35. To provide methods and procedures to be used for boll weevil eradication in cotton; to provide definitions; to allow entering into cooperative agreements; to allow inspections of premises; to require reports; to allow the establishments of quarantines and elimination zones and to provide for treatment of cotton in elimination zones to include destruction; to allow adoption of rules and regulations and penalties for their violation; to provide for certification of a cotton growers organization and for a referendum to be conducted by said organization; to provide for assessments to be paid by growers and penalties for failure to pay assessments; to provide for the promulgation of regulations.

By Senators Mitchem, Barron, and Little:

S. 71. To amend Sections 2-15-131 and 2-15-133, Code of Alabama 1975, relating to the Livestock Dealers' Financial Responsibility Act, so as to include catfish in the definition of livestock and to provide when payment of purchase of catfish is to be made by the dealer.

By Senator Smith (J):

S. 78. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

The above Bill was read a second time at length as required by the Constitution.

By Senator Smith (J):

S. 79. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat, corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

By Senator Menton:

S. 86. To amend Section 9-12-113 of the Code of Alabama 1975, as last amended, relating to certain hook and line, net, and seine licenses, so as to provide that the cost of a commercial hook and line license is \$25.00; to provide for a charge of \$100.00 for purse seine licenses regardless of the size of the purse seines; to require name and license number tags on all nets except purse seines; to delete the definition of nonresident; and to provide that all nets fished in an illegal manner shall be declared a nuisance and shall be subject to condemnation and forfeiture.

By Senator Aldridge:

S. 87. To amend Section 9-11-264, Code of Alabama 1975, relating to strict liability for civil damages to certain persons and domestic animals of persons using traps to capture or kill certain animals, so as to delete the exemption for Lawrence County.

By Senator Menton:

S. 98. To amend the penalty provisions of certain code sections of Article 2 of Chapter 12 of Title 9, Code of Alabama 1975, specifically Sections 9-12-32 (private reefs), 9-12-33 (culling of oysters), 9-12-42 (oyster replanting), 9-12-45 (terrapins), 9-12-46 (minimum weight of commercial shrimp), 9-12-54.7 (live bait dealers), 9-12-82 (oyster catcher license), 9-12-114 (license for wholesale and retail dealers of fresh saltwater fish), 9-12-116 (inspection of places of business), 9-12-117 (illegal tackle, illegal fishing devices

or unlicensed boats or vessels), and 9-12-121 (general penalty provisions of Article 2 of Chapter 12, Title 9), so as to increase the penalties thereof.

By Senator Denton:

S. 114. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to prohibit any person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, to hunt or discharge any firearm from, upon, or across any public road, public highway, or railroad, or their rights-of-way, logging railroads excepted; and to further prohibit any person to hunt within 100 yards of a public road, public highway, or railroad, or their rights-of-way, logging railroads excepted, with rifle or shotgun using slug or shot larger than standard number four in size, and to provide penalties for the violation thereof.

By Senator Denton:

S. 115. To amend section 32-5-17, Code of Alabama 1975, relating to the nuisance of casting a light from a motor vehicle on real property at night, so as to change the hours of its effect.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 4. To amend Sections 36-28-1, 36-28-3, 36-28-4, 36-28-5, 36-28-6, 36-28-7, 36-28-8, 36-28-9 and 36-28-10 of the Code of Alabama 1975, which provide for a state social security agency, so as to provide further for a state office of social security under the state comptroller and to provide for certain penalties to be assessed on certain delinquent social security accounts processed by such state office.

By Senator Teague:

S. 6. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such officers or employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from the regulation by the Department of Insurance of the State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

By Senator Teague:

S. 7. To provide that the annual state salary payable circuit clerks and registers shall be \$33,000.00 so as to equitably adjust the ratio between said salaries and the salaries of other judicial officers and to appropriate such funds as may be necessary to pay such increase.

By Senators Barron and Goodwin:

S. 13. To amend Section 36-22-16 of the Code of Alabama, 1975, to provide for the compensation of the sheriffs of the several counties in this state.

By Senator Amari:

S. 19. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

By Senator Covington (By Request):

S. 30. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama of 1975, as amended, to establish an effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

By Senator Covington:

S. 34. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Dale County's board of registrars meeting days.

By Senator Denton:

S. 53. To amend Sections 41-9-340, 41-9-343, 41-9-347 and 41-9-355, Code of Alabama 1975, relating to the USS Alabama Battleship Commission, so as to provide for the vacation of office by a member for failure to attend meetings, to increase the monetary limits for which a contract may be executed, to provide that said park shall honor all who participated in military defense of our nation and to forgive certain debts owed by the Commission to the Alabama State Docks.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Substitute):

S. 60. To authorize the payment of a compensation incentive for personnel assigned by the sheriff of a county, on a regular basis, to conduct internal investigations or to assist in the accountability of funds governed by the respective sheriffs.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Parsons:

S. 70. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

By Senator Aldridge:

S. 81. Authorizing the Alabama Forestry Commission to transfer title on certain used and obsolete equipment to a county when such equipment is scheduled for replacement.

By Senator Holmes:

S. 91. To amend Section 11-46-23, Code of Alabama, 1975, relating to adjusting election ward lines, so as to provide for certain adjustments made to comply with the Voting Rights Act of 1965.

By Senators Corbett, Bedford, Holmes, and Hand:

S. 101. To amend Sections 34-11-2, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-13, 34-11-15, 34-11-32, and 34-11-35 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors, so as to regulate further such registration and the fees therefor; to provide for the issuance of certificates of authorization to certain corporations, partnerships or firms practicing engineering or land surveying; and to regulate further the compensation of members of the board of registration for professional engineers and land surveyors, and to provide for corporate practice.

By Senators Bedford, Foshee, and Covington:

S. 109. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

By Senator Bishop (By Request):

S. 118. To amend Section 11-3-4.1, Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation and to provide a minimum compensation for revenue and license commissioners and to further provide for such compensation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Adams and Clark (J):

H. J. R. 28. MOURNING THE DEATH OF MR. HUGH ASHBY BENTLEY OF PHENIX CITY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 28, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 29. CREATING A LEGISLATIVE OVERSIGHT COMMITTEE TO MONITOR IMPLEMENTATION OF A COMPREHENSIVE PLAN ADDRESSING THE NEEDS OF THOSE SCHOOL SYSTEMS WHICH HAD LOW SUCCESS RATES ON THE ALABAMA HIGH SCHOOL GRADUATION EXAM.

WHEREAS, the Alabama State Legislature provides substantial financial support for the education of the State's school children; and

WHEREAS, the State Legislature expects that these education funds will be used effectively for the maximum educational benefits of the State's school children; and

WHEREAS, public education in Alabama is the responsibility of the State of Alabama in coordination with state and local school boards; and

WHEREAS, appropriate leadership needs to be provided to give reasonable assurance that students will be given an opportunity to reach their maximum potential; and

WHEREAS, it has become apparent, based on the results of the Alabama High School Graduation Exam given during the fall of 1983, that some of the State's public school systems might wish to request help from the state Department of Education as a result of these tests. The purpose of this request being so students may receive the education to which they are entitled; and

WHEREAS, passing the Alabama High School Graduation Exam is necessary to receive a high school diploma which is a basic certificate of accomplishment necessary for further educational opportunity as well as employment opportunity; and

WHEREAS, some school systems had very low success rates in the Alabama High School Graduation Exam; and

WHEREAS, the Alabama State Legislature does express its concern over those school systems with low success rates and hereby declares that assistance is necessary; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby direct the State Board of Education, through the State Superintendent of Education and the State Department of Education, to take immediate steps to prepare a comprehensive plan for implementation in the 1984-85 school year which addresses the needs of those systems within the additional financial resources provided for the State Department of Education through the 1984-85 budget.

BE IT FURTHER RESOLVED, That the State Superintendent of Education provide additional technical assistance, training and other resources as reflected in the comprehensive plan for educational improvement.

BE IT FURTHER RESOLVED, That a Legislative Oversight Committee is hereby created, composed of five members of the House appointed by

the Speaker of the House, five members of the Senate appointed by the Lt. Governor, and one member of the Governor's staff whose responsibilities will be to meet periodically to review the progress of the plan and to make reports to the full membership of the Legislature.

RESOLVED FURTHER, That upon request of the Chairman, the Clerk of the House and the Secretary of the Senate shall provide such clerical assistance as may be necessary for the committee's work. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee, upon warrants drawn on the state comptroller upon requisitions signed by the Chairman. Provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session but they shall receive their travel expenses for all meetings attended and any travel upon the business of the committee within and without the state. All expenses for travel, per diem, salaries, benefits, clerical assistance, supplies and costs incurred as a result of this resolution shall be paid out of any funds appropriated to the legislature, in accordance with law.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 29, set out in the forgoing Message from the House, was read and referred to the Standing Committee on Rules.

#### ADJOURNMENT

At 11:50 A.M., on motion of Senator Denton, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, May 29, 1984, at 2 o'clock P.M.



**THIRD LEGISLATIVE DAY**  
**TUESDAY, MAY 29, 1984**

The Senate met pursuant to adjournment, President Pro Tempore Teague presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Lenny Bolton, Pastor, Chisholm Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Jeffrey Brown, Montgomery County High School, Ramer, Alabama.

**ROLL CALL**

Present:

Senators:	Corbett	Foshee	Mitchem
Aldridge	Covington	Goodwin	Parsons
Amari	deGraffenried	Hand	Pearson
Bailey	Denton	Hilliard	Sanders
Bedsole	Dial	Holmes	Smith (B)
Bennett	Dixon	Langford	Smith (J)
Bishop	Drinkard	Little	Strong
Cabaniss	Ellis	Menton	Teague
Cooley			

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Second Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Barron, Bedford, and Figures for today.

**MESSAGE FROM THE HOUSE**

**Mr. President Pro Tem:**

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

**H. J. R. 2. RELATIVE TO NOTIFYING THE GOVERNOR THAT THE LEGISLATURE IS NOW IN SESSION.**

Also:

**H. J. R. 3. RELATIVE TO LEGISLATIVE MEETING DATES.**

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

**By Senator Langford:**

**S. 142.** To provide that full-time employees and executive officers of the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

Committee on Governmental Affairs.

**By Senator Langford:**

**S. 143.** Relating to elections, to establish an annual voter registration day; to require that the hours of the Board of Registrars coincide with the business hours of the courthouse; and to require that in certain counties the probate judge or chief probate clerk or others be appointed as deputy registrars.

Committee on Governmental Affairs.

**By Senator Langford:**

**S. 144.** To amend Section 40-12-49, Code of Alabama 1975, relating to license tax levied on attorneys, so as to increase the amount of said tax and to remove certain tax exemptions.

Committee on Judiciary.

**By Senator Hilliard:**

**S. 145.** Providing for the reapportionment of the State Board of Education of Alabama based upon the 1980 census.

Committee on Judiciary.

By Senators Amari and Bennett:

S. 146. To insure that all persons whose primary condition is mental retardation and are accused of a crime, be identified by appropriate testing procedures between the time of their arrest and first formal court appearance so that insofar as is possible within the existing criminal justice system, such individuals can be most fairly processed in view of their special problems.

Committee on Judiciary.

By Senator Bennett (With Notice and Proof):

S. 147. To further amend Sections 18 and 20 of an act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended, relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from all qualified candidates unless the appointing authority shall request the three ranking eligibles only.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 147, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Teague:

S. 148. To re-open the Retirement Systems of Alabama in order to allow active and contributing members and former such members with vested retirement benefits to claim and purchase credit for military service or service as a member of the National Youth Administration School and to provide for its termination.

Committee on Finance and Taxation.

By Senator Bennett:

S. 149. TO AMEND SECTION 11-81-11 OF THE CODE OF ALABAMA 1975, TO PROVIDE THAT THE SALE OF COUNTY AND MUNICIPAL BONDS MAY, BY NEGOTIATED SALE, IF THE GOVERNING BODY OF THE COUNTY OR MUNICIPALITY SHALL DETERMINE THAT SUCH SALE IS DESIRABLE TO GAIN THE LOWEST NET INTEREST COST.

Committee on Governmental Affairs.

By Senators Foshee and Covington:

S. 150. To amend Sections 11-54-170 and 11-54-171, Code of Alabama 1975, which authorize and make provisions for the incorporation in any Class 1, Class 2 or Class 3 municipality, of Commercial Development Authorities for the purpose of promoting trade and commerce, so as also to provide for the incorporation of such authorities in any Class 7 or Class 8 municipality.

Committee on Governmental Affairs.

By Senator Teague:

S. 151. To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Sec. 32-8-48 Code of Alabama 1975, and by amending Sec. 32-8-87 Code of Alabama 1975, to include certain requirements set forth in Sec. 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity and to require certain other documents or items to be surrendered to the Department of Revenue in certain instances.

Committee on Buildings and Grounds.

By Senators Bishop, Parsons, Langford, Covington, Dixon, Corbett, Menton, Foshee, Ellis, Hilliard, Amari, Cooley, Aldridge, and Bedsole:

S. 152. To repeal Sections 4-2-30, 4-2-31, 4-2-32, 4-2-33, 4-2-35, 4-2-35.1, and 4-2-36 of the Code of Alabama, 1975, as amended, relating to the creation, composition, appointment, and function of the Alabama Department of Aeronautics and the Alabama Aeronautics Commission and the powers, duties, qualifications, and functions of the Director of Aeronautics and the Assistant Director of Aeronautics so as to abolish the Alabama Department of Aeronautics and the Alabama Aeronautics Commission; and to transfer all duties, powers, responsibilities, authorities, and functions thereof to the State Highway Department; and to establish an Aeronautics Bureau of the State Highway Department; and to create the position of Bureau Chief of the Aeronautics Bureau of the State Highway Department; and to create an Aeronautics Board and to specify its duties and authorities; to provide for the appointment, duties, and compensation of the Board members; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this act.

Committee on Buildings and Grounds.

By Senators Bishop, Parsons, Langford, Covington, Dixon, Corbett, Menton, Foshee, Ellis, Hilliard, Amari, Cooley, Aldridge, Hand, and Bedsole:

S. 153. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Committee on Buildings and Grounds.

By Senator Bailey:

S. 154. Relating to prescription drugs which are not controlled substances, to prohibit the sale of such drugs and prescribing penalties therefor.

Committee on Judiciary.

By Senator Cooley:

S. 155. To amend the obscenity laws, specifically amending Section

13A-12-151, Code of Alabama 1975, so as to provide for the punishment of obscene communications by telephone made for commercial purposes.

Committee on Judiciary.

By Senator Teague:

S. 156. To provide that those officials authorized to issue motor vehicle license plates shall have the authority to require proof of payment of the Federal Heavy Motor Vehicle Excise Tax imposed by Title 26 U.S.C. § 4481, in order to insure that the State of Alabama does not suffer any reduction in the State's share of federal highway funds as provided by Title 23 U.S.C. § 141(d), and to prohibit the issuance of motor vehicle license plates to those motor vehicles having a taxable gross weight of 33,000 pounds or more until the applicant provides proof that the tax imposed by Title 26 U.S.C. § 4481, has been paid for the particular motor vehicle sought to be registered and licensed.

Committee on Buildings and Grounds.

By Senator Bennett (With Notice and Proof):

S. 157. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 157, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senators Strong and Ellis:

S. 158. To exempt all persons employed in public schools from liability for certain communications concerning the suspected use, possession, sale or furnishing of any controlled substance by any student, to the student's parents, law enforcement officers or health care providers.

Committee on Judiciary.

### BILLS ON THIRD READING

Senator Holmes requested and received permission to suspend the Rules in order to bring up the Bill:

S. 91. To amend Section 11-46-23, Code of Alabama, 1975, relating to adjusting election ward lines, so as to provide for certain adjustments made to comply with the Voting Rights Act of 1965.

And said Bill, S. B. 91, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Dial	Hand	Mitchem
Bailey	Dixon	Holmes	Smith (J)
Bedsole	Drinkard	Langford	Strong
Bennett	Foshee	Little	Teague
Cabaniss	Goodwin	Menton	

*Nays:*

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The Bill:

S. 23. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Mitchem
Aldridge	Denton	Hand	Parsons
Amari	Dial	Holmes	Pearson
Bailey	Dixon	Langford	Smith (B)
Bedsole	Drinkard	Little	Smith (J)
Bennett	Ellis	Menton	Teague
Bishop	Foshee		

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*Nays:*

—0

The Bill:

S. 25. Relating to Baldwin County; further providing for the medically indigent citizens of Baldwin County; fixing a definition of medically indigent persons; establishing the Baldwin County Indigent Care Board and describing its authority, composition and duties; and providing for use by the board of certain taxes or other funds received by the board under the provisions of an approved revenue source within Baldwin County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem
Aldridge	Corbett	Hand	Parsons
Amari	Denton	Holmes	Pearson
Bailey	Dial	Langford	Sanders
Bedsole	Dixon	Little	Strong
Bennett	Drinkard	Menton	Teague
Bishop	Ellis		

—25

*Nays:*

—0

The Bill:

S. 26. Relating to Baldwin County; providing for and requiring purging and reidentification of the registered voters; imposing duties upon the Board of Registrars, the Judge of Probate and upon the electors whose names appear on the listing of qualified electors of the county; providing for criminal penalties for violations; and prescribing an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

FIRST EXTRAORDINARY SESSION  
3rd Day

75

*Yeas:*

Senators:	Cabaniss	Foshee	Mitchem
Aldridge	Cooley	Hand	Parsons
Amari	Corbett	Holmes	Pearson
Bailey	Denton	Langford	Sanders
Bedsole	Dial	Little	Strong
Bennett	Dixon	Menton	Teague
Bishop	Ellis		

—25

*Nays:* —0

The Bill:

S. 27. Relating to the twenty-eighth judicial circuit in Baldwin County; to provide an expense and automobile allowance to the district attorney of said judicial circuit.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	Denton	Holmes	Pearson
Bedsole	Dial	Langford	Sanders
Bennett	Dixon	Little	Strong
Bishop	Drinkard	Menton	Teague
Cabaniss	Ellis		

—25

*Nays:* —0

The Bill:

S. 28. Providing for the distribution of Baldwin County's share of offshore oil and gas severance tax proceeds provided for said county in Section 40-20-8(a) of the Code of Alabama 1975 as amended by Act No. 83-889, H. 26 of the 1983 Fourth Special Session of the Legislature.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	Denton	Holmes	Pearson
Bedsole	Dial	Langford	Sanders
Bennett	Dixon	Little	Strong
Bishop	Drinkard	Menton	Teague
Cabaniss	Ellis		

—25

*Nays:* —0

The Bill:

S. 48. Relating to the Town of Gulf Shores in Baldwin County; to authorize the governing body of the Town of Gulf Shores to approve and make lawful the sale of alcoholic beverages at retail within its corporate limits on Sunday after the hour of 2:00 o'clock P.M.; and to provide for the sale by retail licensees of the board.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 2.

*Yeas:*

Senators:	Cabaniss	Foshee	Parsons
Aldridge	Cooley	Hand	Pearson
Amari	Corbett	Holmes	Sanders
Bailey	Denton	Langford	Smith (B)
Bedsole	Dixon	Little	Strong
Bennett	Drinkard	Menton	Teague
Bishop	Ellis		

—25

*Nays:*

Senators:	Dial	Smith (J)	—2
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The Bill:

S. 95. To provide for redivision of the county commissioner's districts in Cleburne County, Alabama; to provide for an advisory referendum on the question of the provisions of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Mitchem
Aldridge	Cooley	Hand	Parsons
Amari	Corbett	Hilliard	Pearson
Bailey	Dial	Holmes	Sanders
Bedsole	Drinkard	Little	Strong
Bennett	Ellis	Menton	Teague
Bishop	Foshee		

—25

*Nays:*

—0

The Bill:

S. 14. To provide that certain legislative employees shall be eligible to participate as members in the state employees' retirement system of Alabama and in the state employees' health insurance plan; to provide the eligibility of such employees and contributions required from the employee and employer; to permit certain such legislative employees to purchase certain prior creditable service on a pro rata basis for the retirement system and the terms therefor.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Menton
Bailey	Denton	Goodwin	Parsons
Bedsole	Dial	Hilliard	Smith (J)
Bennett	Dixon	Langford	Strong
Cooley	Ellis	Little	Teague
Covington			

—20



Nays:

—0

### RESOLUTION

Senators Parsons and Smith (J) offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. EXPRESSING LEGISLATIVE SUPPORT FOR THE POSSIBLE PURCHASE OF THE REVERE COPPER AND BRASS PLANT AT SCOTTSBORO, ALABAMA.

WHEREAS, Revere Copper and Brass, Incorporated, currently operates two facilities at Scottsboro, one a sheet plant which employs some 400 workers represented by United Steel Workers of America; and

WHEREAS, a viable company has expressed an interest in purchasing both of Revere Copper and Brass's facility with the anticipation of increasing the present reduced production capacity of Revere Copper and Brass; and

WHEREAS, the prospective purchaser, however, requires proper consideration from the Tennessee Valley Authority on a power contract that would allow it to produce aluminum at a competitive price; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are herein on record as favoring proper consideration from TVA on a power contract that would allow the potential buyer of Revere Copper and Brass, Inc., to produce aluminum at a competitive price.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the officials of both TVA and U. S. Steel.

On motion of Senator Parsons, the Rules were suspended and the Resolution was adopted by the Senate.

### MOTION TO ADJOURN

Senator Corbett moved that when the Senate adjourns today, it adjourns to meet again on Wednesday, May 30, 1984, at 1 o'clock P.M., which motion was adopted.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 36. To allow persons seventeen years of age or older to donate blood without parental permission.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 1.

Yeas:

Senators:	Covington	Hand	Mitchem
Aldridge	deGraffenried	Hilliard	Smith (B)
Amari	Denton	Holmes	Smith (J)
Bennett	Dial	Langford	Strong
Cabaniss	Dixon	Little	Teague
Corbett	Foshee		

—21

Nay: Senator Bailey

—1

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 22. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the third legislative day of the 1984 First Special Session only:

Inst Id		Page
S. 106	Attorney General, supp. approp.	3
S. 3	Social workers, license qualifications further provided for, Sec. 34-30-22	2
S. 7	Circuit clk, and cir. registers, salaries increased, appropriation made therfor	30
S. 92	Probate Judge fined for making cert. guardian ad litem appts., Sec 12-13-52 repealed.	3
S. 116	State employees under employees retirement system, uniform health insurance plan auth.	4
S. 63	Probate, Intestate distribution, employers req. to pay wages or salary due intestate to surviving spouse as guardian of minor child or children; such wages include in exempt prop.	16
S. 65	Fighting dogs, humane dispositions of reg., sec. 3-1-29 am'd.	17
S. 118	Counties, rev. comm. and lic. comm., minimum compensation est., Sec. 11-3-4.1 am'd.	37
S. 16	Insurance, mutual aid associations auth. to increase paid in capital stock and supplies.	9
S. 87	Lawrence Co., exemption from Sec. 9-11-264 removed re damages for traps, Sec. 9-11-264 am'd.	26

On motion of Senator Bishop, the Resolution was adopted by the Senate.

**BILLS ON THIRD READING RESUMED**

Senator Bishop requested and received permission to suspend the Rules in order to bring up the Bill:

S. 11. To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee

and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 providing for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

Senator Teague offered the following substitute for the Bill, S. B. 11, to-wit:

**SUBSTITUTE FOR S. B. 11**

**A BILL  
TO BE ENTITLED  
AN ACT**

To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 providing for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. Section 12-19-23 Code of Alabama 1975, is hereby amended to read as follows:

12-19-23. (a) The following fees shall be collected from the proceeds derived from any For each judicial sale in any district or circuit court in this state: a fee, which shall equal one percent of the sales price, shall be collected from the proceeds of such sale prior to any other distribution therefrom.

~~(1) For the first \$300.00, two percent,~~

~~(2) From all over \$300.00, and not exceeding \$2,000.00, one and one-half percent,~~

~~(3) For all over \$2,000.00 and not exceeding \$20,000.00, one percent,~~  
and

~~(4) For all over \$20,000.00, one-fourth of one percent.~~

~~(b) Such fees are to be collected from the proceeds of such sale prior to any other distribution and are~~ The fee provided herein is in addition to any other fees or costs which may be authorized by law. Fees collected as herein prescribed shall be remitted to the State General Fund.

(c) This section shall apply to any judicial sale in any district or circuit court made on or after ~~May 17, 1981~~ October 1, 1984, provided the case was filed after January 15, 1977, and provided further that the provisions of this section shall not apply to any judicial sale in any probate court in this state.

Section 2. There is hereby imposed an administrative fee of \$1.00 to be collected by the clerks of the circuit and district courts and the registers

of the circuit courts for the receipt and disbursement of each periodic payment made to their offices under any order, decree or judgment of the circuit or district court which provides for periodic and continuing payments of alimony, child support, or court-ordered restitution, except for payments received from a responding state pursuant to Title 30, Chapter 4, Sections 80-98, Code of Alabama 1975. Said fee shall be collected from the individual responsible for the periodic payments at the time each payment is receipted through the office of the clerk or register, whether such payment is collected for the benefit of a private individual or the state, including any department or agency thereof and whether the duty to collect such payments is imposed upon the clerk or register by statute, court rule or order of the court. Provided, however, that in the event the obligor fails to submit sufficient funds to cover the fee and the required payment at the time such payment is made, then said fee shall be deducted from the proceeds of the payment prior to any other distribution thereof, except in cases arising under Title IV-D of the Social Security Act, as amended, and the obligor shall be in default to the obligee for the amount so deducted. Said fee shall be remitted to the State General Fund.

Section 3. The clerks of the circuit and district courts and the registers of the circuit court shall provide written notice to each person who is currently under an obligation to make periodic payments as provided in Section 2. if such obligation will continue beyond September 30, 1984, advising them of the administrative fee prescribed herein for the receipt and disbursement of each such payments. Said notice shall be served by first class mail at the last known address of the obligor, and the date of mailing shall be noted on the case action summary of the underlying case for which said payments are being made. Said fee to become due and payable for any payment as prescribed in Section 2. made on or after October 1, 1984.

Section 4. Sections 12-19-230 through 12-19-238, Code of Alabama 1975, providing for witness fees in criminal cases are hereby repealed.

Section 5. All other provisions of law in conflict with the provisions of this Act are hereby expressly repealed.

Section 6. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declarations shall not affect the part that remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law; provided that the provisions of this Act shall not become operative until October 1, 1984.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Senators:	Bishop	Dial	Little	
Aldridge	Cabaniss	Dixon	Mitchem	
Amari	Corbett	Foshee	Smith (B)	
Bailey	Covington	Goodwin	Smith (J)	
Bedsole	deGraffenried	Hand	Strong	
Bennett	Denton	Langford	Teague	—23

Nays:

—0

And said Bill, S. B. 11, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 21; Nays 0.

Yeas:

Senators:	Cabaniss	Dixon	Little
Aldridge	Cooley	Foshee	Smith (B)
Amari	Corbett	Goodwin	Smith (J)
Bailey	deGraffenried	Hand	Strong
Bennett	Denton	Langford	Teague
Bishop	Dial		

—21

Nays: —0

### SPECIAL ORDER

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 106. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

### REPORTS OF COMMITTEES

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Langford (With Amendment):

S. 137. To amend Sections 17-10-3 and 17-10-5, Code of Alabama, 1975, relating to application to vote by absentee ballots and the ballot therefor, so as to permit certain eligible qualified electors of Alabama to apply for and to vote a "write-in" absentee ballot in certain primary elections and at the same time the runoff and general elections; to provide that this act does not apply to municipal elections; and to provide an effective date.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 128. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting, so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

By Senator Langford:

S. 138. To amend Section 24-1-24, Code of Alabama 1975, relating to the municipal housing authorities so as to provide further that at least one commissioner shall be a tenant of the municipal housing authority.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Denton:

S. 1. To amend Section 16-13-190 of the Code of Alabama of 1975 so as to validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of such tax in the consolidated district resulting from such consolidation.

By Senator Bedsole:

S. 50. To provide that local city and county boards of education, boards of trustees of colleges and universities and governing boards of other public supported education institutions shall provide certain leave options for tenured professional employees who serve in the Alabama legislature and full time members of the Governor's staff.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hand (With Amendment):

S. 54. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country.

Senator Parsons, Chairperson of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Bennett, Amari, Aldridge, Hand, Bedsole, Strong, Ellis, Teague, Corbett, Figures, Bailey, Parsons, and Mitchem:

S. 69. Amending Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Smith (J):

S. 74. To amend Act No. 83-838 of the 1983 Third Special Session of the Alabama legislature relating to reintegration of state prison inmates into society under the Supervised Intensive Restitution Program, so as to further specify the ineligibility of certain inmates convicted of certain crimes to participate in said program.

By Senator Foshee:

S. 93. To amend 1975 Code of Alabama, Sections 22-52-14 and 22-52-17, which relate to mental health evaluations and commitments so as to require all probate judges to utilize mental health facilities of the State of

Alabama when available and to establish rates for attorney services in representing indigent persons.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Parsons (With Amendment):

S. 113. Relating to motor vehicles; requiring as a prerequisite to registration of a motor vehicle and renewal of a driver's license that every person so registering or renewing shall secure and pay the premium on a motor vehicle liability insurance policy issued by an insurance company authorized to transact business within the State of Alabama, or otherwise establish financial responsibility; to facilitate the procuring of such insurance by providing for an assigned risk plan among insurance companies for the equitable apportionment among such companies of undersirable risks and to prescribe penalty for enforcement; to prescribe penalties for violations of the provisions of this act; and to authorize the judges of probate or license commissioners to collect a fee.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator deGraffenried:

S. 133. To amend Sections 15-12-20, 15-12-21, 15-12-22 and 15-12-24 of the Code of Alabama 1975, relating to defense of indigents, so as to provide further for representation of indigents; and to provide further for the compensation of counsel and reimbursement for expenses incurred; to authorize the state comptroller to withdraw certain amounts from the fair trial tax fund to cover the expenses of administering indigent defense; and to amend Section 12-19-252 of the Code of Alabama 1975, so as to further provide for annual appropriations from the fair trial tax fund to pay the withdrawals of the state comptroller.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Senator Cabaniss (With Amendments):

S. 134. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this Act.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator deGraffenried (With Amendment):

S. 64. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended, replacing and specifically repealing Sections 93, 94, 211, 212, 213, 214, 217, 218, 219, 222, 224, 225 and

226 of the Constitution of 1901, as amended, and Amendments 23, 25, 53, 61, 93, 107, 108, 116, 126, 160, 212, 225, 228, 272 and 398 to said Constitution; providing for an election thereon; and prescribing an effective date for the proposed Amendment.

The above Bill was read a second time at length as required by the Constitution.

Senator deGraffenried, Chairperson of the Standing Committee on Constitutional Revision, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Bailey:

S. 94. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

The above Bill was read a second time at length as required by the Constitution.

Senator Pearson, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Notice and Proof):

S. 37. To amend Article VII of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the Board of Managers of the City of Birmingham Retirement and Relief System so as to provide that participant's loans shall be repaid in a period of forty-eight (48) months or less from the date of such loan and to provide that interest be charged on such loans in such amount as may be determined in the discretion of the Board, but not less than seven (7) percent per annum.

By Senator Hilliard (With Notice and Proof):

S. 39. To amend Article III, Section 9 of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), as amended by Act No. 791, H. 801, 1975 Regular Session (Acts 1975, p. 1585), said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929, S. 676, 1951 Regular Session (Acts 1951, p. 1579), as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent (75%) of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent (50%) of the funds available for investment.

Senator Pearson, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable re-



port, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Amendment):

S. 40. To provide for and create a public corporation for the purposes of flood control to be known as the Alabama Village and Valley Creeks Flood Control Authority. The office of the Authority is to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment, its duties and authorities, and to provide for employees.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Goodwin, Drinkard, Denton, and Menton:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

By Senators Mitchem, Little, Teague, Smith (J), Dixon, Langford, Aldridge,

Bennett, Holmes, Amari, Ellis, Strong, Foshee, Covington, Dial, Menton, Bailey, and Parsons:

S. 2. To provide further salary increases for certain state employees and to appropriate funds therefor.

By Senator Goodwin:

S. 15. To amend Section 40-20-2, Code of Alabama 1975, so as to provide certain exemptions for occluded natural gas produced from coal seams and to provide for an expiration date.

By Senator Teague:

S. 12. To make a supplemental appropriation from the general fund in the state treasury to the office of the Secretary of State for the fiscal year ending September 30, 1985.

By Senator Teague:

S. 5. To amend the "Alabama Environmental Management Act," the "Alabama Air Pollution Control Act of 1971," as amended, and the "Alabama Safe Drinking Water Act of 1977," as amended, specifically amending sections 22-22A-5, 22-22A-11, and 22-23-39, Code of Alabama 1975, as amended, and repealing section 22-25-10, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management (ADEM) to establish procedures for the collection of fees from applicants for permits, licenses, certifications or variances, such fees to be based on the reasonable anticipated cost to ADEM of the examination and processing of applications, plans, specifications or other data, investigations and public hearings for the issuance, reissuance, modification or denial of any permit, license, certification or variance; to authorize ADEM to recover from a violator the actual costs reasonably incurred by ADEM to prevent, minimize or abate any adverse effect on air, land or water resources which results or may result from a violation of a law, rule or regulation, or a permit, certification or variance issued by ADEM; to require the suppliers of drinking water to reimburse ADEM for the reasonable anticipated cost of bacteriological, sanitary and chemical analysis required to be performed under the "Alabama Safe Drinking Water Act of 1977;" and to appropriate all moneys deposited in the Alabama Department of Environmental Management Fund to the use of ADEM.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Little (With Amendment):

S. 80. To amend Section 41-19-10 of the Code of Alabama 1975, relating to operation plans or budget management by state agencies/departments generally, so as to provide further for such budget management.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable re-

port, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Teague (With Substitute):

S. 82. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Little (With Amendment):

S. 83. To establish the Revenue Forecast Control Commission to project anticipated state revenue and prohibit the legislature from appropriating more than a certain percentage of the projected revenue.

WHEREAS, the legislative fiscal office, the state finance director's office, the state revenue department, and the Center for Economics and Business Research located in Tuscaloosa, Alabama, each make independent projections of revenue anticipated to be received by the State; and

WHEREAS, each of the aforementioned projections may differ widely; and

WHEREAS, as a result of the separate projections, a true and valid anticipation of the revenues is not available to the legislature; and

WHEREAS, as a result of this lack of a valid projection, proration of appropriated funds may be necessitated; now therefore,

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Bedford, Covington, Denton, and Dixon:

S. 58. To amend Section 9-2-107, Code of Alabama 1975, relating to the State Park Revolving Fund, so as to provide that up to 2% of the receipts of said fund may be reserved each year for use in major repair and maintenance service of land, buildings, and permanent equipment fixed assets; and capital improvements or alteration to land, buildings, or permanent equipment.

By Senator Foshee:

S. 99. To amend 1975 Code of Alabama, Section 41-9-71, to conform to current operating procedures and laws which have been revised since passage of this act in 1935.

By Senator Barron:

S. 119. To update Section 40-18-31, Code of Alabama, 1975, which levies and imposes upon every corporation organized under the laws of Alabama a tax on their entire net income so as to allow separate recognition of "Subchapter S Corporations" organized under the laws of Alabama and to provide for pass-through tax treatment to shareholders of said domestic

"Subchapter S Corporation" in accordance with similar provisions under federal law.

By Senator Denton:

S. 110. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1985, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

By Senator Covington:

S. 129. To amend Section 41-5-19 of the Code of Alabama 1975, so as to further provide that members of the Legislative Committee on Public Accounts shall receive their legislative pay and expense allowance and mileage for each meeting of the Committee.

By Senator Langford:

S. 20. To amend Section 36-29-10, Code of Alabama 1975, which provides for the election of retired state employees, and retired teachers to continue coverage under the group insurance plan by the deduction of premiums for such coverage from their monthly benefit payments, so as to allow the state to assume a portion of the cost.

By Senator deGraffenried:

S. 124. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401(k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

By Senator deGraffenried:

S. 102. To amend certain sections of Chapter 2 of Title 14 of the Code of Alabama 1975 to authorize the Alabama Corrections Institution Finance Authority to lease correctional facilities to municipal corporations, public corporations, counties, the federal government and agencies of the federal government; to provide that members, officers, directors and employees of the Authority shall not be personally liable for obligations of the Authority; to delete the limitations on the aggregate principal amount of promissory notes and bonds authorized to be issued by the Authority; to provide for the maximum maturity of bonds of the Authority and the manner of sale thereof; to provide for the security for bonds issued by the Authority; to authorize municipal corporations, public corporations and counties to convey property to the Authority and to lease correctional facilities from the Authority; to provide for lease by the Authority of vacant or unused facilities; to provide for disposition of the Authority's properties upon the dissolution of the Authority; and to exempt all leases of the Authority from the competitive bid laws.

By Senators Mitchem and Smith (J):

S. 89. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

By Senators Mitchem and Little:

S. 72. To create and establish a Natural Heritage Program in the State Parks Division of the Alabama Department of Conservation and Natural Resources; to provide for the primary purposes and location of the Natural Heritage Program; to define the responsibilities and duties of the Natural Heritage Program staff; to create a Natural Areas Advisory Committee and its duties and responsibilities; to provide for a registry of natural areas and a process for registration and rescission of registrations; to provide for public access to registered areas; to create the Alabama Natural Heritage Trust Commission and its duties and responsibilities; to create an Alabama Natural Heritage Trust and provide for the composition and substantive terms thereof; to provide for the management of said trust; to provide for limited circumstances in which condemnation of any property in said trust may occur; to provide for the promulgation of rules and regulations pursuant to this act and penalties thereof; to provide for funding requests in annual budgets for costs and operating expenses; to provide for the expenditure of trust assets and income; to define the protective provisions of this act; to provide for the sale and issuance of use permits for heritage preserves, and to provide for user or subscription fees for natural area inventory information and protection of said information; and to provide for advertisement of and solicitation of donations to the Alabama Natural Heritage Program.

WHEREAS, the Alabama Legislature finds that as a part of the continuing growth of the population and development of the economy of State it is necessary and desirable that portions of the State's rich natural and cultural diversity be set aside as heritage preserves and sites and protect it for the benefit of present and future generations, for once disturbed they cannot be wholly restored; and

WHEREAS, such areas and features are irreplaceable as laboratories for scientific research; as reservoirs of natural materials for which the value and usefulness thereof is not yet fully known; as habitats for rare and vanishing species; and as living museums where people may observe natural biotic and environmental systems and as areas for study and enjoyment as examples of the lands, structures and related artifacts which represent significant parts of our natural and cultural heritage; and

WHEREAS, a number of independent and differing efforts, both private as well as public, have been initiated to protect some of these assets, a coordinated and concerted program is needed in order to avoid duplication and/or conflict among these and other valuable activities and to insure the maximum conservation of these resources through the establishment of a more effective and adequate official legal mechanism for identifying and recognizing and protecting such areas for their outstanding characteristics; and

WHEREAS, it is necessary and desirable to coordinate and share natural heritage information with the other southeastern states; now, therefore,  
By Senators Covington, Foshee, Corbett, and Teague:

S. 32. To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state

institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

### RESOLUTIONS

Senators deGraffenried and Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. COMMENDING THE GULF STATES PAPER CORPORATION, 1884-1984.

WHEREAS, Gulf States Paper Corporation is celebrating its 100th Anniversary during 1984; and

WHEREAS, the National Headquarters of this dynamic company is located in Tuscaloosa, Alabama; and

WHEREAS, Gulf States Paper Corporation introduced the modern paper industry to Alabama and continues to play a major role in making Alabama one of the leading states in the production of forest and paper products; and

WHEREAS, the corporation has operations in 21 Alabama counties and seven other states and employs more than 1,300 Alabamians; and

WHEREAS, these Alabama operations include extensive land holdings producing lumber, timber, poles, Christmas trees and other forest products; a pulp and paperboard mill in Demopolis; a folding carton plant in Maplesville; and a host of operating companies including Westervelt Land Company, Moldwood Products Company, Log Industries, Timber Managers Company, Westervelt Hunting Lodge, Loper Lumber Company, Westervelt Tree Company, Cosmos Tablet Company, NorthRiver and other interests; and

WHEREAS, Gulf States Paper Corporation is known for its tradition of quality, excellence and responsibility as signified in its motto, "Quality Counts"; and

WHEREAS, Gulf States Paper Corporation has been family owned for four generations; and

WHEREAS, the dynamic leadership of its President and Chairman of the Board, Jack Warner, has resulted in continued growth and diversification for many years; and

WHEREAS, Gulf States Paper Corporation has shown itself to be a leader in industry, civic and community affairs and has contributed greatly to the economic progress and quality of life that make Alabama great; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby congratulate and commend Jack Warner and all the officers, directors and employees of Gulf States Paper Corporation upon the occasion of the corporation's 100th Anniversary and extend sincere best wishes for continued success in the future.

BE IT FURTHER RESOLVED, That a copy of this commendatory resolution of the Legislature be provided for presentation to Gulf States Paper Corporation, Tuscaloosa, Alabama.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senators deGraffenried and Bishop then offered the following Senate Joint Resolution, to-wit:

S. J. R. 24. MOURNING THE DEATH OF JUDGE LECIL D. GRAY OF TUSCALOOSA, ALABAMA.

WHEREAS, the Legislature of Alabama, in deep sadness and regret, records the death of Judge Lecil D. Gray of Tuscaloosa, Alabama, on May 22, 1984, at the age of 70 years; and

WHEREAS, though a native of Jasper and former Walker County Probate Judge for some 12 years, Judge Gray, at the time of his death, had resided in Tuscaloosa for 25 years; and

WHEREAS, Judge Gray was an organizer, in 1959, and former vice president of Cotton States Life Insurance Company, leaving in the 1960's to organize a second company, New Southland National Life, where he remained until September 1983, retiring as Chairman of the Board; and

WHEREAS, in addition to significant achievement as one of Alabama's most successful insurance executives, Judge Gray also was a prominent community and civic leader whose selfless involvement encompassed numerous areas of both local and statewide concern; and

WHEREAS, Judge Gray was a member of the Alabama Tuberculosis Association Board, and also served for many years on the State Mental Health Board; in the latter capacity, he played a central role in the upgrading of conditions within the mental health system, serving as head of the court established Bryce Hospital rights committee and later was appointed to the post of federal court monitor of the state system; and

WHEREAS, Judge Gray served in the United States Army Air Corps during World War II, and was an alumnus of the University of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Judge Lecil D. Gray of Tuscaloosa, Alabama, and extend our most sincere and heartfelt sympathy to his wife, Mrs. Alice Smith Gray, and to his daughter and son, Mrs. Elizabeth Gray Owens and Lecil D. Gray, III, whose sorrow we deeply share and for whom copies of this resolution shall be provided.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Mitchem offered the following Senate Resolutions, to-wit:

S. R. 25. COMMENDING MR. HENRY JEFFERSON HITT AS BOAZ "MAN OF THE YEAR" FOR 1983.

Also:

S. R. 26. COMMENDING MRS. RUTH PETREE MASTIN AS BOAZ "WOMAN OF THE YEAR" FOR 1983.

Which were adopted.

Senator Amari offered the following Senate Resolution, to-wit:

S. R. 27. COMMENDING ROBERT CURTIS CHAPMAN, CHAIRMAN OF THE ALABAMA HOSPITAL ASSOCIATION FOR 1984-1985.

Which was adopted.

Senator Covington offered the following Senate Joint Resolution, to-wit:

**S. J. R. 28. CONGRATULATING MR. AND MRS. GENE GREEN ON THE OCCASION OF THEIR 30TH WEDDING ANNIVERSARY.**

WHEREAS, the Legislature of Alabama notes with great pleasure the forthcoming 30th Wedding Anniversary, on June 25, 1984, of Mr. and Mrs. Gene Green of Troy, Alabama; and

WHEREAS, on June 25, 1954, young Gene Green at the age of 19 and his young 17-year-old bride, Miss Lou Emma Knight, were joined in holy matrimony in Hepzibah Baptist Church, Troy, Alabama; and

WHEREAS, they have since lived their lives as one, devoted each to the other, and have remained steadfastly faithful to their marriage vows, setting an enviable example for others to follow; and

WHEREAS, Mr. and Mrs. Green are the parents of two daughters, Susan Green and Gail G. Hamrick; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we join with family and friends in congratulating this exemplary couple, Mr. and Mrs. Gene Green of Troy, Alabama, and wish them many more happy years together.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be provided for Mr. and Mrs. Green that they may be aware of our congratulations and of our warm best wishes on this momentous occasion.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

**FURTHER CONSIDERATION OF S. B. 106**

The Senate proceeded to further consideration of the Bill, S. B. 106.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 11. To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 pro-



viding for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

CHARLES BISHOP,  
Chairperson.

**FURTHER CONSIDERATION OF S. B. 106**

The Senate proceeded to further consideration of the Bill, S. B. 106.

On motion of Senator Bishop, further consideration of the Bill, S. B. 106, was postponed subject to the call of the Chair.

**BILLS ON THIRD READING RESUMED**

The Bill:

S. 3. To amend Section 34-30-22, Code of Alabama 1975, which provides for the qualifications of applicants for licensed social workers, so as to provide further for said qualifications.

was taken up.

Senator Bennett offered the following amendment to the Bill, S. B. 3, to-wit:

**AMENDMENT TO S. B. 3**

I move to amend Senate Bill No. 3 Page 2 Line 12, by striking the period after the word

“program” and adding “which is in candidacy status for recognition by the Council of Social Work Education within one year after passage of this act.”

On motion of Senator Teague, said amendment was laid on the table.

And said Bill, S. B. 3, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 16; Nays 6.

*Yeas:*

Senators:	Denton	Goodwin	Langford
Bailey	Dixon	Hand	Mitchem
Bishop	Ellis	Hilliard	Smith (B)
Corbett	Foshee	Holmes	Teague
Covington			

—16

*Nays:*

Senators:	Bennett	deGraffenried	Strong
Bedsole	Cabaniss	Little	

—6

The Bill:

S. 7. To provide that the annual state salary payable circuit clerks and registers shall be \$33,000.00 so as to equitably adjust the ratio between said salaries and the salaries of other judicial officers and to appropriate such funds as may be necessary to pay such increase.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 3.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem
Amari	Denton	Hilliard	Smith (B)
Bailey	Ellis	Langford	Smith (J)
Bennett	Foshee	Little	Strong
Cabaniss	Goodwin	Menton	Teague
Corbett			

—20

*Nays:*

Senators:	Bedsole	Dixon	Holmes	—3
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The Bill:

S. 92. To repeal Section 12-13-52, Code of Alabama 1975, which section fines probate judges for the appointment of certain persons as guardian ad litem.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 2.

*Yeas:*

Senators:	Cabaniss	Dixon	Hilliard
Amari	Corbett	Ellis	Holmes
Bailey	Covington	Foshee	Langford
Bedsole	deGraffenried	Goodwin	Menton
Bennett	Denton	Hand	Strong
Bishop			

—20

*Nays:*

Senators:	Little	Smith (J)	—2
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The Bill:

S. 116. To provide for the establishment of a uniform plan of Health Insurance for Employees and, under certain conditions, retired employees, of employers participating in the Employees' Retirement System of Alabama under the provisions of § 36-27-6, Code of Alabama, 1975 as amended. To provide for the creation of the local Employees' Health Insurance Board, its authority, responsibilities, powers, and duties and to provide for the terms of its members. To prescribe the coverage which may be provided by said Board and the method of funding the cost of said coverage. To further provide that the Board upon certain findings, may develop a plan of self insurance.

was taken up.

On motion of Senator Foshee, further consideration of the Bill, S. B. 116, was postponed subject to the call of the Chair.

The Bill:

S. 63. Relating to exempt property and allowances under the Probate Code; to permit employers to pay to the surviving spouse or to a person with custody over surviving children any wages or salary due an employee who dies intestate, said sum being considered a part of other exempt property and allowances.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

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*Yeas:*

Senators:	Covington	Goodwin	Menton
Amari	deGraffenried	Hand	Mitchem
Bailey	Denton	Hilliard	Smith (B)
Bedsole	Dixon	Holmes	Smith (J)
Bennett	Drinkard	Langford	Strong
Bishop	Ellis	Little	Teague
Corbett	Foshee		

—25

*Nays:* —0

The Bill:

S. 65. To amend Section 3-1-29 of the Code of Alabama 1975, which section prohibits certain activities relating to fighting of dogs, so as to provide further for procedures relating to such prohibited activities.

was taken up.

Senator Bishop offered the following amendment to the Bill, S. B. 65, to-wit:

**AMENDMENT TO S. B. 65**

Amend Senate Bill No. 65 Page 3 Line 23 by inserting after the word "agency".

Dogs & Dog owners residing in Lee County are hereby exempted from this act.

Senator Little moved that said amendment be laid on the table, which motion was lost.

And said amendment was then adopted.

Yeas 6; Nays 5.

*Yeas:*

Senators:	Corbett	Foshee	Smith (B)
Bishop	Denton	Hand	

—6

*Nays:*

Senators:	deGraffenried	Little	Teague
Cabaniss	Ellis		

—5

On motion of Senator Corbett, the Senate reconsidered the vote by which the amendment was adopted.

And said amendment was then lost.

Yeas 1; Nays 19.

*Yea:* Senator Foshee —1

*Nays:*

Senators:	Bishop	Hand	Menton
Aldridge	Cabaniss	Hilliard	Mitchem
Bailey	Dixon	Holmes	Smith (B)
Bedsole	Ellis	Langford	Smith (J)
Bennett	Goodwin	Little	Strong

—19

And said Bill, S. B. 65, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Mitchem	
Aldridge	deGraffenried	Hand	Smith (B)	
Bailey	Denton	Holmes	Smith (J)	
Bedsole	Dixon	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Foshee	Menton		—22

*Nays:* —0

### FURTHER CONSIDERATION OF S. B. 116

The Senate proceeded to further consideration of the Bill, S. B. 116.

And said Bill, S. B. 116, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Menton	
Aldridge	deGraffenried	Hand	Mitchem	
Bailey	Denton	Hilliard	Smith (B)	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—23

*Nays:* —0

### BILLS ON THIRD READING RESUMED

The Bill:

S. 118. To amend Section 11-3-4.1, Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation and to provide a minimum compensation for revenue and license commissioners and to further provide for such compensation.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 4.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem	
Bailey	Denton	Hilliard	Smith (J)	
Bennett	Ellis	Langford	Strong	
Bishop	Foshee	Menton	Teague	
Corbett	Goodwin			—17

*Nays:*

Senators:	Dixon	Holmes	Little	
Cabaniss				—4

### FURTHER CONSIDERATION OF S. B. 106.

The Senate proceeded to further consideration of the Bill, S. B. 106.

Senator Corbett offered the following substitute for the Bill, S. B. 106, to-wit:

**SUBSTITUTE FOR S. B. 106**

**A BILL  
TO BE ENTITLED  
AN ACT**

To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, in addition to all other appropriations heretofore made, to the Office of the Attorney General the amount of \$448,758 from the General Fund in the State Treasury for the payment of salaries and other expenses for Fiscal Year 1983-84.

Section 2. In the event the \$448,758 fine, or any part of it, paid by the Office of the Attorney General into Federal Court in the case of Newman versus the State of Alabama is returned to the Office of the Attorney General such office shall deposit that amount into the State Treasury for transfer to the General Fund of the State of Alabama.

Section 3. Section 2 of Act No. 83-836, Third Special Session, 1983, is hereby amended to read as follows:

“Section 2. In addition to all other appropriations heretofore or hereafter made, there is hereby conditionally appropriated from the State General Fund for the fiscal year ending September 30, 1984, the following:

- (a) Department of Corrections—Capital  
Outlay for construction of prisons . . . \$ 551,242

(To be conditioned on the availability of funds and the approval of the Governor.)

- (b) For the expenses of the special election in November, 1983, including advertising and printing costs; and expenses of the presidential primary in 1984. . . . . \$2,000,000

- (c) For the expenses of the Legislature . . . . . \$ 200,000

(Appropriations in Section 2(b) and (c) hereof to be conditional upon the final judicial determination of the constitutionality of Act 79-434 and as approved by the Governor).”

Section 4. In the event that all or any portion of the \$448,758 appropriated by Section 1 herein is returned to the Attorney General by the Federal Court and deposited into the State General Fund as required by Section 2 herein, such amount is hereby appropriated to the Department of

Corrections—Capital Outlay for construction of prisons. Such appropriation shall be conditional upon the availability of funds and the approval of the Governor.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor or by its otherwise becoming law.

Which was adopted.

Yeas 17; Nays 1.

*Yeas:*

Senators:	Cabaniss	Foshee	Little	
Amari	Corbett	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Smith (J)	
Bennett	Dixon	Holmes	Teague	
Bishop	Ellis			—17

*Nay:* Senator Strong —1

And said Bill, S. B. 106, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 19; Nays 2.

*Yeas:*

Senators:	Bishop	Ellis	Little	
Amari	Cabaniss	Foshee	Menton	
Bailey	deGraffenried	Goodwin	Mitchem	
Bedsole	Denton	Hand	Smith (J)	
Bennett	Dixon	Holmes	Teague	—19

*Nays:*

Senators:	Corbett	Strong	—2
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### BILLS ON THIRD READING RESUMED

The Bill:

S. 16. To authorize certain Mutual Aid Associations to increase their paid-in capital.  
was taken up.

Senator Bennett offered the following amendment to the Bill, S. B. 16, to-wit:

### AMENDMENT TO S. B. 16

Amend Senate Bill No. 16 Page 1 Line 28, by striking out Line after the word of and inserting life

Which was adopted.

Yeas 20; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Corbett	Foshee	Little	
Aldridge	deGraffenried	Goodwin	Mitchem	
Amari	Denton	Hand	Smith (J)	
Bedsole	Dixon	Holmes	Strong	
Bennett	Ellis	Langford	Teague	
Cabaniss				—20

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*Nays:* —0

*Abstaining:* Senator Hilliard —1

And said Bill, S. B. 16, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 20; Nays 0.  
Abstaining 1.

*Yeas:*

Senators:	Corbett	Foshee	Menton
Amari	deGraffenried	Goodwin	Mitchem
Bailey	Denton	Hand	Smith (J)
Bennett	Dixon	Holmes	Strong
Bishop	Ellis	Langford	Teague
Cabaniss			

—20

*Nays:* —0

*Abstaining:* Senator Hilliard —1

The Bill:

S. 87. To amend Section 9-11-264, Code of Alabama 1975, relating to strict liability for civil damages to certain persons and domestic animals of persons using traps to capture or kill certain animals, so as to delete the exemption for Lawrence County.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Mitchem
Amari	Denton	Hand	Smith (J)
Bailey	Dixon	Holmes	Strong
Bedsole	Ellis	Langford	Teague
Cabaniss	Foshee	Little	

—18

*Nays:* —0

RESOLUTION

Senator Hand offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. EXPRESSING LEGISLATIVE INTENT REGARDING  
H. B. 860 AS ENACTED.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the intent of this Legislature concerning H. B. 860; which provides for a referendum in Baldwin County regarding the creation of a Revenue Commissioner; as enacted, is that a referendum regarding combining certain offices as provided in H. B. 860 shall be held prior to July 1984, even if no other countywide referendum is held prior to said date. It is further the intent of this Legislature that all expenses connected with said referendum shall be paid by the county commission.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Baldwin County Probate Judge.

Which was read and referred to the Standing Committee on Rules.

### MOTION IN WRITING

Senator Amari offered the following Motion in Writing, to-wit:

I move that the Bill, S. B. 19, on page 31 of the Third Legislative Day Calendar, be referred to the Standing Committee on Rules for placement on the Consent Calendar.

Which was adopted, and the President Pro Tempore of the Senate ordered said Bill, S. B. 19, referred to the Standing Committee on Rules for placement on the Consent Calendar.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 106. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

Also:

S. 16. To authorize certain Mutual Aid Associations to increase their paid-in capital.

CHARLES BISHOP,  
Chairperson.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Johnson (Roy), Drake, Campbell, Holley, Onderdonk, Biddle, Starkey, Brakefield, Tanner, and Fuller:

H. 55. To amend various sections of Chapter 5, Title 25, Code of Alabama 1975, which relate to workman's compensation in Alabama, to limit civil actions by one employee against another co-employee of the same employer (co-employee suits), to state legislative findings, specifically to amend Section 25-5-1 of the Code of Alabama 1975, so as to provide that the inclusion of an employer's insurer within the definition of "employer" shall not provide the insurer with complete immunity from liability to an injured employee, or his dependents in the case of his death; to delete provisions in subsection (a) of Section 25-5-11 of the Code of Alabama 1975, excluding from the definition of "party other than the employer" an officer, director, agent, servant or employee of the same employer, or his personal representative, and any workers' compensation carrier or any person, firm, association, trust, fund, or corporation responsible for servicing and payment of worker's compensation claims for the employer, or any officer, director,



agent, servant, or employee of such carrier, person, firm, association, trust, fund, or corporation and any labor union, or any official or representative thereof making a safety inspection for the benefit of the employer or its employees; to amend Section 25-5-11 of the Code of Alabama 1975, to provide that an injured employee, or his dependents in the case of his death, may bring an action for damages against any workers' compensation insurance carrier or any person, firm, association, trust, fund, or corporation responsible for servicing and payment of worker's compensation claims for the employer or any officer, director, agent, servant or employee of such carrier, person, firm, association, trust, fund, or corporation, or any labor union, or any official or representative thereof, or an officer, director, agent, servant or employee of the same employer, or his personal representative, only for wilful conduct which results in or proximately causes injury or death to the employee; to amend Section 25-5-53 of the Code of Alabama 1975, to extend immunity from civil liability for all causes of action except those based upon wilful conduct to any workers' compensation insurance carrier or any person, firm, association, trust, fund, or corporation responsible for servicing and payment of worker's compensation claims for the employer or any officer, director, agent, servant or employee of such carrier, person, firm, association, trust, fund, or corporation, and to any labor union or any official representative thereof, and to any officer, director, agent, servant or employee of the same employer or his personal representative; to amend Section 25-5-68 of the Code of Alabama 1975, to provide that, effective July 1, 1984, the maximum weekly benefit shall be 80 percent, rather than 66  $\frac{2}{3}$  percent, of the average weekly wage for the state of Alabama, but not more than, for permanent partial disability benefits, \$190 per week; to amend Section 25-5-77 of the Code of Alabama 1975, to provide that an employee dissatisfied with the first physician or surgeon selected by the employer may select a second physician or surgeon from a panel of four selected by the employer; to provide that an employee or employer may obtain records from any hospital, clinic or other facility at which an employee receives treatment for an injury received on the job; to provide that the foregoing amendments and clarification are applicable to Articles 4, 5, 6 and 7 of Chapter 5 of Title 25 of the Code of Alabama 1975; and to further require employers to pay for a two year period, beginning July 1, 1984, a special assessment of one quarter of one percent of compensation benefits paid by the employer into a fund entitled "Workers' Compensation Administrative Trust Fund" to defray expenses of the Department of Industrial Relations; and to authorize the expenditure of a sum not to exceed \$269,000 from the second injury trust fund for the purchase of computer equipment and supplies by the Department of Industrial Relations, provided the second injury trust fund exceeds \$1,000,000 by June 30, 1985.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 55. To the Committee on Business and Labor Relations.

### ADJOURNMENT

At 6:05 P.M., on motion of Senator Foshee, in accordance with Motion

heretofore adopted, the Senate adjourned until Wednesday, May 30, 1984,  
at 1 o'clock P.M.

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**FOURTH LEGISLATIVE DAY**

**WEDNESDAY, MAY 30, 1984**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Mr. Henry D. Alford, Deacon, Woodley Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Steve Miestro, Vestavia Hills High School, Birmingham, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Ellis	Menton
Aldridge	Corbett	Foshee	Mitchem
Amari	Covington	Goodwin	Parsons
Bailey	deGraffenried	Hand	Sanders
Bedford	Denton	Hilliard	Smith (B)
Bedsole	Dial	Holmes	Smith (J)
Bennett	Dixon	Langford	Strong
Bishop	Drinkard	Little	Teague
Cabaniss			

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Third Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Barron, Figures, and Pearson for today.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Amari (With Notice and Proof):

S. 159. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of Catherine E. Robertson for a pension based upon extraordinary disability and to award such pension if, in the judgment of the Board of Managers, such pension is required, and to provide for the conditions and limitations applying to such pension, and to set an effective date.

Committee on Local Legislation No. 2.

I hereby certify that the notice and proof is attached to the Bill, S. B. 159, as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

By Senator Langford:

S. 160. To amend Section 11-3-4.1 Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation.

Committee on Governmental Affairs.

By Senator Foshee:

S. 161. To provide further for tax exemptions, to exempt the World Championship Domino Tournament of Andalusia, sponsored by the Andalusia Rotary Club, and the World Championship Rattlesnake Rodeo, Opp, Alabama, and sponsored by the Opp Jaycees, from the payment of all state, county and municipal sales and use taxes.

Committee on Buildings and Grounds.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 4. DECLARING JUNE 1984, "SELECTIVE SERVICE REGISTRATION AWARENESS MONTH."

Also:

S. J. R. 5. MOURNING THE DEATH OF MRS. JACQUELINE JACKSON NORMAN OF AUBURN, ALABAMA.

Also:

S. J. R. 6. HONORING HAMIEL JONES UPON HIS RETIREMENT FROM AUBURN UNIVERSITY.

Also:

S. J. R. 8. NAMING H. B. 46, THE "TURNHAM-STRONG ACT."

Also:

S. J. R. 9. NAMING H. B. 625, THE "DAVIS-STRONG ACT."

Also:

S. J. R. 10. NAMING H. B. 294, ACT 84-306 OF THE 1984 REGULAR SESSION, THE "BIDDLE-STRONG ACT."

Also:

S. J. R. 19. MOURNING THE DEATH OF MR. LEONARD LOVVORN COOLEY OF CULLMAN COUNTY, ALABAMA.

Also:

S. J. R. 20. NAMING HOUSE BILL 670 THE BROWDER EDUCATIONAL REFORM ACT.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Rogers:

H. J. R. 35. COMMENDING THE GRADUATES, CLASS OF '64, OF WENONAH HIGH SCHOOL, BIRMINGHAM, ALABAMA.

Also:

By Reps. Spratt, Davis, and Reed:

H. J. R. 36. HONORING BISHOP PHILIP ROBERT COUSIN, SR. PRESIDENT, NATIONAL COUNCIL OF CHURCHES IN THE U. S. A. AND PRESIDING BISHOP OF THE NINTH EPISCOPAL DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH IN THE STATE OF ALABAMA.

Also:

By Reps. McMillan and Penry:

H. J. R. 41. EXPRESSING LEGISLATIVE INTENT REGARDING H. B. 860 AS ENACTED.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 35, 36, and 41, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### REPORTS OF COMMITTEES

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 142. To provide that full-time employees and executive officers of

the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

By Senator Langford:

S. 143. Relating to elections, to establish an annual voter registration day; to require that the hours of the Board of Registrars coincide with the business hours of the courthouse; and to require that in certain counties the probate judge or chief probate clerk or others be appointed as deputy registrars.

By Senator Bennett:

S. 149. TO AMEND SECTION 11-81-11 OF THE CODE OF ALABAMA 1975, TO PROVIDE THAT THE SALE OF COUNTY AND MUNICIPAL BONDS MAY, BY NEGOTIATED SALE, IF THE GOVERNING BODY OF THE COUNTY OR MUNICIPALITY SHALL DETERMINE THAT SUCH SALE IS DESIRABLE TO GAIN THE LOWEST NET INTEREST COST.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senators Foshee and Covington (With Amendment):

S. 150. To amend Sections 11-54-170 and 11-54-171, Code of Alabama 1975, which authorize and make provisions for the incorporation in any Class 1, Class 2 or Class 3 municipality, of Commercial Development Authorities for the purpose of promoting trade and commerce, so as also to provide for the incorporation of such authorities in any Class 7 or Class 8 municipality.

Senator Bailey, Chairperson of the Standing Committee on Agriculture, Conservation, and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Goodwin:

S. 123. To protect, preserve, maintain, and enhance the scenic, recreational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.

By Senator Bailey:

S. 135. To amend Section 9-14-27, Code of Alabama 1975, as last amended, relating to length of term of concession contracts, so as to extend the allowable term for state park concession contracts from six to ten years and the maximum term where major expenditures are made by concessionaire from twelve to twenty years.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senators Bennett, Amari, Teague, and Parsons (With Substitute):

S. 55. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill furnace and foundry commission, so that such employees would be covered by workmen's compensation.

Senator Corbett, Chairperson of the Standing Committee on Business and Labor Relations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Corbett and Bedford:

S. 62. To amend Section 25-3-4 of the Code of Alabama 1975, relating to investigations and adjustments of wage claim controversies by the commissioner of the department of labor, so as to provide further for such investigations and adjustments by prescribing certain procedures for settlement of such controversies.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Teague:

S. 151. To amend the Alabama Uniform Certificate of Title and Antitheft Act by repealing Sec. 32-8-48 Code of Alabama 1975, and by amending Sec. 32-8-87 Code of Alabama 1975, to include certain requirements set forth in Sec. 32-8-48 repealed herein, to remove the requirement of surrendering the vehicle identification number plate in certain instances, to provide for the issuance of a salvage certificate of title and the assignment of same, to exempt insurance companies from titling motor vehicles in the name of the company in certain instances, to redefine total loss motor vehicles for clarity and to require certain other documents or items to be surrendered to the Department of Revenue in certain instances.

By Senators Bishop, Parsons, Langford, Covington, Dixon, Corbett, Menton, Foshee, Ellis, Hilliard, Amari, Cooley, Aldridge, and Bedsole:

S. 152. To repeal Sections 4-2-30, 4-2-31, 4-2-32, 4-2-33, 4-2-35, 4-2-35.1, and 4-2-36 of the Code of Alabama, 1975, as amended, relating to the creation, composition, appointment, and function of the Alabama Department of Aeronautics and the Alabama Aeronautics Commission and the powers, duties, qualifications, and functions of the Director of Aeronautics and the Assistant Director of Aeronautics so as to abolish the Alabama Department of Aeronautics and the Alabama Aeronautics Commission; and to transfer all duties, powers, responsibilities, authorities, and functions thereof to the State Highway Department; and to establish an Aeronautics Bureau of the State Highway Department; and to create the position of Bureau Chief of the Aeronautics Bureau of the State Highway Department; and to create an Aeronautics Board and to specify its duties and authorities;

to provide for the appointment, duties, and compensation of the Board members; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this act.

By Senators Bishop, Parsons, Langford, Covington, Dixon, Corbett, Menton, Foshee, Ellis, Hilliard, Amari, Cooley, Aldridge, Hand, and Bedsole:

S. 153. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

By Senator Teague:

S. 156. To provide that those officials authorized to issue motor vehicle license plates shall have the authority to require proof of payment of the Federal Heavy Motor Vehicle Excise Tax imposed by Title 26 U.S.C. § 4481, in order to insure that the State of Alabama does not suffer any reduction in the State's share of federal highway funds as provided by Title 23 U.S.C. § 141(d), and to prohibit the issuance of motor vehicle license plates to those motor vehicles having a taxable gross weight of 33,000 pounds or more until the applicant provides proof that the tax imposed by Title 26 U.S.C. § 4481, has been paid for the particular motor vehicle sought to be registered and licensed.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Pratt:

H. J. R. 33. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 84-328, H. 215, 1984 Regular Session, is hereby named the "Onderdonk-Foshee Act".

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 33, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### RESOLUTIONS

Senators Langford and Dixon offered the following Senate Resolution, to-wit:

S. R. 30. HONORING THE FINLEY-HOLLOWAY FAMILY ON ITS FORTHCOMING FAMILY REUNION.

Which was adopted.



Senators Langford and Dixon then offered the following Senate Joint Resolution, to-wit:

**S. J. R. 31. HONORING THE FINLEY-HOLLOWAY FAMILY ON ITS FORTHCOMING FAMILY REUNION.**

WHEREAS, the Alabama Legislature notes with sincere praise and pleasure the forthcoming Finley-Holloway reunion, July 1-4, 1984; and

WHEREAS, the origin of the Finley family has been traced to the 1600s when a young slave, Sam, assumed the name of his master, Bill Finley of LaFayette, Alabama, as was the custom of the times; and

WHEREAS, gathering in Montgomery for their fourth reunion will be descendants of Tom, one of four children born to Sam Finley and his wife Celicia; and

WHEREAS, host for the occasion will be Mr. Elliott Finley who resides in Montgomery and is a disabled veteran and Purple Heart recipient of World War II; he was a member of the all black 92nd Infantry Division, serving in Italy; and

WHEREAS, the Finley-Holloway family tree, which became closely joined through the marriages of three Finley brothers to three Holloway sisters and cousins, boasts numerous members who have been highly successful in the business and professional fields; and

WHEREAS, to be most particularly honored, however, for extraordinary achievement, are: Councilman Morris Finley of Atlanta; attorney Jim Finley of Atlanta; broker-realtor Wendy Young of Detroit; realtors Yvonne Walker and Poppy Marable of Atlanta; doctoral candidate Yvonne Brown Hargrove with the Alabama State Department of Education; Bell Telephone associates Lamar and Erma Zachery of Detroit; and Mrs. Nocile Streeter of Pratt City, Alabama, the matriarch of the Finley-Holloway Clan; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we hereby honor the Finley-Holloway family on the occasion of its forthcoming reunion and direct that the family receive a copy of this resolution in declaration of our sincere praise of their fourth reunion, and those thereafter to be annually observed.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bennett, Cabaniss, Hilliard, Amari, and Parsons offered the following Senate Joint Resolution, to-wit:

**S. J. R. 32. MOURNING THE DEATH OF THERA HOLLAND RICHTER.**

WHEREAS, Mrs. Thera Holland Richter, director of planning and community development for Jefferson County, died unexpectedly May 28, 1984, and

WHEREAS, Mrs. Richter who had held the county position for nine years was considered by planning and development officials statewide as a person of the highest professional ability, and

WHEREAS, in 1982, she was elected to the board of directors of the National Association of County Planning Directors, and

WHEREAS, prior to joining the county she was associated with the Birmingham Regional Planning Commission, and

WHEREAS, Mrs. Richter was a president's associate at the University of Montevallo and a member of Mortar Board and Phi Chi Theta, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, that we mourn the loss of this long-time community leader and express deepest sympathy to her family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to her husband, Marvin O. Richter, with our condolences.

On motion of Senator Bennett, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 33. COMMENDING DR. EDWARD E. LITKENHOUS, JUNIOR, OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT.

Which was adopted.

Senator Goodwin offered the following Senate Resolution, to-wit:

S. R. 34. MEMORIALIZING THE CONGRESS TO CEASE WITHDRAWAL OF OFFSHORE ACREAGE FOR GAS AND OIL EXPLORATION AND PRODUCTION, AND TO ENACT CERTAIN LEGISLATION.

Which was adopted.

Senators Dixon, Bennett, Hand, and Hilliard offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. DESIGNATING ACT NO. 84-447 AS THE ELLEN MARSHALL BENNETT ACT.

WHEREAS, Ellen Marshall Bennett, as chairperson for Citizens for a Safe Environment, has worked diligently over the years to protect Alabama's environment, and

WHEREAS, in her role as head of the Birmingham-based environmental group, she led the fight against unsuccessful attempts by Ashvins, U. S. A. in locating toxic waste storage facilities in heavily-populated Homewood, and along the Warrior River in West Jefferson County in 1980 and 1981, and

WHEREAS, as a knowledgeable spokesperson on toxic and hazardous waste issues, she has kept close watch on developments at the giant Chem-Waste plant at Emelle, and

WHEREAS, she was author of legislation to locate a three-member team of experts from the Alabama Department of Environmental Management at Emelle to daily monitor dumping and disposal activities which passed as Senate Bill 382; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That (S. B. 382) Act No. 84-447 of the 1984 Legislature is hereby designated as "the Ellen Marshall Bennett Act".

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Bennett with our deep appreciation for a job well done.

On motion of Senator Dixon, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Bedsole offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. CALLING FOR EQUALIZATION OF SALARIES FOR CERTAIN PROFESSORS AND INSTRUCTORS AT PUBLIC FOUR-YEAR INSTITUTIONS OF HIGHER LEARNING.

WHEREAS, the results of a recent comparative study of faculty salaries at the university level indicate the existence of discrepancies in the compensation of men and women at some state four-year colleges and universities; and

WHEREAS, such discriminatory policies, should they exist in Alabama, would be both unacceptable in attitude and constitutionally repugnant, and would further result in financial loss to the state through a waste of human resources; and

WHEREAS, it is incumbent upon this legislature to ensure that such bias in the compensation of men and women faculty members does not now exist, or occur, at Alabama's state four-year institutions of higher learning; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it shall henceforth be procedural at annual budget hearings of the Legislature to review presentations prepared by said institutions, which exhibits shall include itemized and certified remuneration records, by gender, of each classification of institutional personnel, and shall further set forth salary criteria used to ensure equal pay for equal work by faculty members.

RESOLVED FURTHER, That immediately upon passage of this resolution and its approval by the Governor, copies of same shall be forwarded to all state four-year colleges and universities in the State of Alabama.

On motion of Senator Bedsole, the Rules were suspended and the Resolution was adopted by the Senate.

### BILLS ON THIRD READING

The Bill:

S. 37. To amend Article VII of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), relating to the Board of Managers of the City of Birmingham Retirement and Relief System so as to provide that participant's loans shall be repaid in a period of forty-eight (48) months or less from the date of such loan and to provide that interest be charged on such loans in such amount as may be determined in the discretion of the Board, but not less than seven (7) percent per annum.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bedford	Bennett	Cooley
Amari	Bedsole	Cabaniss	Corbett

Denton  
Dial  
Dixon  
Ellis  
Foshee

Goodwin  
Hand  
Hilliard  
Holmes  
Little

Menton  
Mitchem  
Parsons  
Sanders

Smith (B)  
Smith (J)  
Strong  
Teague

—25

Nays:

—0

### RESOLUTION

Senator Hand offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. CREATING A JOINT COMMITTEE OF ALL MEMBERS OF BOTH HOUSES TO ASSEMBLE IN GULF SHORES, ALABAMA.

WHEREAS, the Alabama Legislature has recently successfully completed an arduous and laborious Regular Session which was beset with formidable issues; and

WHEREAS, the members of the Legislature are worn, weary, battered and shattered from their efforts in resolving intricate and emotionally volatile issues of great importance to the people of the State of Alabama; and

WHEREAS, the members of the Legislature are of the opinion that another issue of great importance has not been included in the Governor's Proclamation of this Special Session, namely, the annexation of the Florida Panhandle; and

WHEREAS, the ten (10) days subsequent to the day adjournment of this session would appear to be an appropriate time for a leisurely and relaxed review of this important issue;

WHEREAS, Gulf Shores, Alabama would be an appropriate and convenient location for such a review;

NOW THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, both houses concerning, that a joint committee composed of all members of both houses be assembled at a suitable location in Gulf Shores, Alabama on May 31, 1984, as well as all legislative staff and that sufficient funds be allocated for the expenses of traveling thereto and for all reasonable and necessary expenses incurred in said meeting.

Done this 29th day of May, 1984.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

Senator Mitchem requested and received permission to suspend the Rules in order to bring up the Bill:

S. 89. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

And said Bill, S. B. 89, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 2.

Yeas:

Senators:  
Aldridge

Amari  
Bedsole

Bennett  
Bishop

Corbett  
Denton

FIRST EXTRAORDINARY SESSION  
4th Day

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Dixon	Hilliard	Menton	Smith (B)	
Ellis	Holmes	Mitchem	Smith (J)	
Goodwin	Langford	Parsons	Strong	
Hand				—20

Nays: Senators Bedford and Cabaniss —2

The Bill:

S. 39. To amend Article III, Section 9 of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), as amended by Act No. 791, H. 801, 1975 Regular Session (Acts 1975, p. 1585), said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929, S. 676, 1951 Regular Session (Acts 1951, p. 1579), as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent (75%) of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent (50%) of the funds available for investment.

was taken up.

Senator Hilliard offered the following amendment to the Bill, S. B. 39, to-wit:

AMENDMENT TO S. B. 39

Under Section 1(c), page 3, beginning on line 17, amended to read:

“(c) The Board of Managers shall have the sole and absolute discretion, if they deem it advisable to invest, reinvest and have invested and reinvested all funds of the system, real and personal subject to the limitations herein provided. The Board is authorized to borrow money up to the value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, and shall direct or subsequently approve investment of monies of the fund not needed to meet disbursements provided for in this act, in the loans to members hereinabove referred to, and in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligation bonds of any municipality or county of the State of Alabama, ~~or in Federal Savings and Loan Associations, or in other corporations having Federal Savings and Loan Association's guarantee, or in bonds or common or preferred stock or corporations organized under Federal laws or the laws of any State of the United States, or may invest in certificates of deposit or bonds issued by banks and savings and loan institutions organized under Federal laws or under laws of the State of Alabama; provided, however, that not more than ten thousand dollars (\$10,000) shall be invested in any one Federal Savings and Loan Association or in any one corporation having Federal Savings and Loan Association's guarantee, and provided, further,~~ that no funds shall be invested in bonds or common or preferred stock of private corporations unless such bonds or common or preferred stock are listed upon Exchanges subject to the jurisdiction of the Securities and Exchange Commission and the aggregate value of the funds invested in such

bonds and stock of corporations last referred to above shall not exceed seventy-five percent (75%) of all the funds available in the system for investments, nor shall the total investment in common or preferred stocks of such corporations exceed fifty percent (50%) of all the funds available in the system for investment."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Parsons	
Amari	Corbett	Hand	Sanders	
Bailey	Denton	Hilliard	Smith (B)	
Bedford	Dial	Holmes	Smith (J)	
Bennett	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays: —0

And said Bill, S. B. 39, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton	
Aldridge	Cooley	Goodwin	Parsons	
Amari	Corbett	Hand	Sanders	
Bailey	Denton	Hilliard	Smith (B)	
Bedford	Dial	Holmes	Smith (J)	
Bennett	Dixon	Little	Teague	
Bishop	Ellis			—25

Nays: —0

## RESOLUTIONS

Senator Menton offered the following Senate Resolutions, to-wit:

S. R. 38. COMMENDING MISS KIM SUDDATH OF THEODORE, ALABAMA, ON HER RECORD-BREAKING SCORE IN THE PENTATHLON.

Also:

S. R. 39. COMMENDING THE THEODORE HIGH SCHOOL CHESS TEAM FOR ITS OUTSTANDING SEASON.

Which were adopted.

## RECESS

At 3:35 P.M., on motion of Senator Little, the Senate took a recess subject to the call of the Chair.

At 3:40 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 40. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fourth legislative day of the First Special Session only:

Inst Id		Page
S. 2	State employees salary incr.	38
S. 15	Oil and gas tax, occluded natural gas exempted.	39
S. 71	Livestock Dealers' Fin. Resp. Act, include Catfish with the defin. of livestock, regulated, Secs. 2-15-131 through 2-15-133 am'd.	15
S. 17	District Attorneys, special services division authorized in each circuit.	2
S. 1	School and educational elections, validation procedure, Sec. 16-13-190 am'd.	28
S. 31	Boll weevil in cotton, eradication and assessment prog., consti. amend.	13
S. 35	Boll weevils in cotton, eradication method reg., assessment.	14
S. 60	Sheriff, payment of incentive compensation to cert. employees	23
S. 78	Feed Grains, promotion of, consti. amend.	15
S. 79	Wheat and feed grains, incld. corn, grain sorghum and oats, distrib. marketing, use and improvement and sale provided for; duties and power of commissioner and the dept. of agri. and indus.	16
S. 94	Catfish, promotion of, fees assessed, Consti. amend.	34
S. 66	School busses, passing while stopped, penalty incr., Sec. 32-5A-154 am'd.	9
S. 101	Professional engineers & land surveyors, reg. & regist. of, provide for issuance of certificate to cert. corps., partnerships, or firms practicing such. Secs. 34-11-2, 34-11-4 thr. 34-11-9, 34-11-11 thr. 34-11-13, 34-11-15, 34-11-32, 34-11-35 am'd	25
S. 82	Motor fuel distributors allowed certain discount from taxes, Secs. 40-17-38 and 40-17-221 am'd.	42
S. 9	Motor Vehicles, Uniform Certif. and Antitheft Act am'd. To provide for forfeiture and condem. of certain items pursuant thereto, for cr. related to falsification, fraud, Sec. 32-8-86 am'd.	5

On motion of Senator Bishop, the Resolution was adopted by the Senate.

**SPECIAL ORDER**  
**BILLS ON THIRD READING**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 2. To provide further salary increases for certain state employees and to appropriate funds therefor.

Senator Little offered the following amendment to the Bill, S. B. 2, to-wit:

**AMENDMENT TO S. B. 2**

On page 2, insert the following language as a new Section 5 and renumber subsequent sections accordingly:

Section 5. Notwithstanding any provision of this Act to the contrary, for the fiscal year ending September 30, 1985, the state personnel board shall not approve any increase in salary of any state employee in an amount greater than a one-step raise (2½ %) within any six month period.

On motion of Senator Mitchem, said amendment was laid on the table.

Yeas 15; Nays 6.

*Yeas:*

Senators:	Dixon	Hilliard	Mitchem	
Bailey	Ellis	Holmes	Smith (J)	
Corbett	Foshee	Langford	Strong	
Denton	Goodwin	Menton	Teague	—15

*Nays:*

Senators:	Bennett	Dial	Little	
Bedford	Cabaniss	Hand		—6

Senator Cabaniss offered the following amendment to the Bill, S. B. 2, to-wit:

**AMENDMENT TO S. B. 2**

On page 1, line 31, delete the figure "11%" and insert in lieu thereof: 5%

**REPORT OF**  
**COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 4. DECLARING JUNE 1984, "SELECTIVE SERVICE REGISTRATION AWARENESS MONTH."

Also:

S. J. R. 5. MOURNING THE DEATH OF MRS. JACQUELINE JACKSON NORMAN OF AUBURN, ALABAMA.



Also:

S. J. R. 6. HONORING HAMIEL JONES UPON HIS RETIREMENT FROM AUBURN UNIVERSITY.

Also:

S. J. R. 8. NAMING H. B. 46, THE "TURNHAM-STRONG ACT."

Also:

S. J. R. 9. NAMING H. B. 625, THE "DAVIS-STRONG ACT."

Also:

S. J. R. 10. NAMING H. B. 294, ACT 84-306 OF THE 1984 REGULAR SESSION, THE "BIDDLE-STRONG ACT."

Also:

S. J. R. 19. MOURNING THE DEATH OF MR. LEONARD LOVVORN COOLEY OF CULLMAN COUNTY, ALABAMA.

Also:

S. J. R. 20. NAMING HOUSE BILL 670 THE BROWDER EDUCATIONAL REFORM ACT.

CHARLES BISHOP,  
Chairperson.

### **SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### **FURTHER CONSIDERATION OF S. B. 2**

The Senate proceeded to further consideration of the Bill, S. B. 2. The question was on the amendment offered by Senator Cabaniss.

On motion of Senator Dixon, said amendment was laid on the table.

Senator Bedford offered the following amendment to the Bill, S. B. 2, to-wit:

### **AMENDMENT TO S. B. 2**

Amend Senate Bill No. 2 Page 1 Line 31, by inserting after the word

"increase." and adding the following . . . "except that the state employees and personnel who work directly for the Alabama Legislature, but not the legislative members themselves, and the Governor's office state employees shall receive a 15% salary increase."

On motion of Senator Dixon, said amendment was laid on the table.

And said Bill, S. B. 2, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28: Nays 2.

*Yeas:*

<b>Senators:</b>	Cooley	Ellis	Menton
Aldridge	Corbett	Foshee	Mitchem
Amari	deGraffenried	Hand	Parsons
Bailey	Denton	Hilliard	Sanders
Bedford	Dial	Holmes	Smith (J)
Bedsole	Dixon	Langford	Strong
Bennett	Drinkard	Little	Teague
Bishop			

—28

*Nays:* Senators Cabaniss and Goodwin

—2

**BILLS ON THIRD READING RESUMED***The Bill:*

S. 15. To amend Section 40-20-2, Code of Alabama 1975, so as to provide certain exemptions for occluded natural gas produced from coal seams and to provide for an expiration date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

*Yeas* 20; *Nays* 0.*Yeas:*

<b>Senators:</b>	Denton	Hand	Menton
Bedsole	Dial	Hilliard	Mitchem
Bennett	Ellis	Holmes	Smith (J)
Bishop	Foshee	Langford	Strong
Cabaniss	Goodwin	Little	Teague
Corbett			

—20

*Nays:*

—0

**RESOLUTION**

Senators Bishop, Aldridge, Cooley, Parsons, and Holmes offered the following Senate Joint Resolution, to-wit:

S. J. R. 41. COMMENDING KEN MOSELEY AND TODD STETTLER, MONTGOMERY, ALABAMA, FOR AIDING LAW ENFORCEMENT, AND URGING RECOGNITION.

WHEREAS, the Alabama Legislature notes that Mr. Ken Moseley and Mr. Todd Stettler, Montgomery, Alabama, while on duty at Montgomery Aviation, demonstrated outstanding citizenship, bravery and keen observation in assisting law enforcement in seizing of one of the state's largest quantities of illegal drugs totaling some \$230,000,000.00; and confiscating the airplane transporting the contraband, and

WHEREAS, Mr. Ken Moseley and Mr. Todd Stettler in aiding law enforcement voluntarily risked their safety and their lives to possibly save the lives of many of our young Alabamians from the ravages of drugs; and

WHEREAS, the heroic action of Mr. Moseley and Mr. Stettler resulted in removing drug traffickers and hardened drug dealers from the streets and the Legislature urges all Alabamians to follow the outstanding citizenship of these gentlemen and feels such public service should be highly commended and recognized by the state; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH

HOUSES THEREOF CONCURRING, That we do most highly praise and commend Mr. Ken Moseley and Mr. Todd Stettler for their outstanding citizenship and bravery in assisting law enforcement for the good of all Alabamians.

RESOLVED FURTHER, That the Alabama Legislature wishes to encourage all of our citizens to assist law enforcement by reporting crime and responding to their directions.

RESOLVED FURTHER, That the Alabama Legislature urges the Governor to recognize Mr. Ken Moseley and Mr. Todd Stettler for their outstanding citizenship by awarding, from his discretionary funds, each in the sum of \$5,000.00.

RESOLVED FURTHER, That we do direct that copies of this resolution be sent to both Mr. Ken Moseley and Mr. Todd Stettler, so that they may know of our high commendation and esteem, and to the Governor.

On motion of Senator Bishop, the Rules were suspended and the Resolution was adopted by the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 71. To amend Sections 2-15-131 and 2-15-133, Code of Alabama 1975, relating to the Livestock Dealers' Financial Responsibility Act, so as to include catfish in the definition of livestock and to provide when payment of purchase of catfish is to be made by the dealer.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Mitchem	
Bedsole	Dial	Holmes	Sanders	
Bennett	Dixon	Langford	Smith (J)	
Cabaniss	Ellis	Little	Strong	
Corbett	Foshee	Menton	Teague	—19

Nays: —0

The Bill:

S. 17. To provide for the establishment of the Special Services Division of the District Attorney's Office of each Judicial Circuit and further establish a unit for the expedient treatment of worthless checks.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Holmes	Smith (B)	
Bedford	Denton	Little	Smith (J)	
Bedsole	Dixon	Menton	Strong	
Bennett	Ellis	Mitchem	Teague	
Cabaniss	Foshee	Sanders		—18

Nays:

—0

The Bill:

S. 1. To amend Section 16-13-190 of the Code of Alabama of 1975 so as to validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of such tax in the consolidated district resulting from such consolidation.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Hilliard	Sanders	
Bedford	deGraffenried	Holmes	Smith (B)	
Bedsole	Denton	Little	Smith (J)	
Bennett	Dixon	Menton	Strong	
Cabaniss	Foshee	Mitchem	Teague	—19

Nays:

—0

The Bill:

S. 31. To propose an amendment to the Constitution of Alabama 1901, relating to the eradication or control of the boll weevil in cotton; allowing the Legislature, by general law, to provide for assessment of levies, financing, collection, distribution and expenditure of funds by a designated non-profit organization for the sole purpose of eradicating or controlling the boll weevil.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Parsons	
Aldridge	Denton	Hilliard	Sanders	
Bailey	Dixon	Langford	Smith (B)	
Bedford	Ellis	Little	Smith (J)	
Bedsole	Foshee	Menton	Strong	
Bennett	Goodwin	Mitchem	Teague	—24
Cabaniss				

Nays:

—0

The Bill:

S. 35. To provide methods and procedures to be used for boll weevil eradication in cotton; to provide definitions; to allow entering into cooperative agreements; to allow inspections of premises; to require reports; to allow the establishments of quarantines and elimination zones and to provide for treatment of cotton in elimination zones to include destruction; to allow adoption of rules and regulations and penalties for their violation; to provide for certification of a cotton growers organization and for a referendum to be conducted by said organization; to provide for assessments to be paid

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by growers and penalties for failure to pay assessments; to provide for the promulgation of regulations.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hand	Sanders	
Aldridge	deGraffenried	Langford	Smith (B)	
Bailey	Dixon	Little	Smith (J)	
Bedford	Ellis	Menton	Strong	
Bedsole	Foshee	Mitchem	Teague	
Bennett	Goodwin			—21

*Nays:* —0

The Bill:

S. 60. To authorize the payment of a compensation incentive for personnel assigned by the sheriff of a county, on a regular basis, to conduct internal investigations or to assist in the accountability of funds governed by the respective sheriffs.

was taken up.

Senator Cabaniss moved that further consideration of the Bill, S. B. 60, be postponed subject to the call of the Chair.

Senator Dixon offered a substitute motion that further consideration of the Bill, S. B. 60, be indefinitely postponed, which motion was lost.

The question recurred on the motion of Senator Cabaniss that further consideration of the Bill, S. B. 60, be postponed subject to the call of the Chair, which motion was adopted.

The Bill:

S. 78. To propose an amendment to the Constitution of 1901, authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of wheat and other feed grains as defined and authorized by the Legislature.

was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Sanders	
Bailey	Denton	Hand	Smith (B)	
Bedford	Dial	Langford	Smith (J)	
Bennett	Dixon	Little	Strong	
Cabaniss	Ellis	Menton	Teague	
Corbett	Foshee			—21

*Nays:* —0

The Bill:

S. 79. To authorize and provide for the promotion of the production, marketing, use and sale of wheat, corn, grain sorghum, and oats and wheat,

corn, grain sorghum, and oats products by research, education, advertising and other methods; and prescribing a method whereby wheat, corn, grain sorghum, and oat producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the wheat, corn, grain sorghum, and oats producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of wheat, corn, grain sorghum, and oats throughout the State; and providing for collection and distribution of assessments by dealers, handlers, and buyers of wheat, corn, grain sorghum, and oats; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Sanders	
Bailey	Denton	Hand	Smith (B)	
Bedsole	Dial	Langford	Smith (J)	
Bennett	Dixon	Little	Strong	
Cabaniss	Ellis	Menton	Teague	
Corbett	Foshee			—21

Nays:

—0

Senator deGraffenried requested and received permission to suspend the Rules in order to bring up the Bill:

S. 64. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended, replacing and specifically repealing Sections 93, 94, 211, 212, 213, 214, 217, 218, 219, 222, 224, 225 and 226 of the Constitution of 1901, as amended, and Amendments 23, 25, 53, 61, 93, 107, 108, 116, 126, 160, 212, 225, 228, 272 and 398 to said Constitution; providing for an election thereon; and prescribing an effective date for the proposed Amendment.

The Standing Committee on Constitutional Revision reported the following amendment to the Bill, S. B. 64, to-wit:

#### COMMITTEE AMENDMENT TO S. B. 64

Amend Senate Bill 64 on Page 2, Section 11.1, line 14, by inserting after the sentence ending "certificates of deposit", the following sentence:

"Provided further that nothing herein is intended to or shall be construed to prohibit institutions of higher education from, or otherwise limit them in, investing endowment or other funds under their control or management in stocks, bonds or other securities of private or corporate enterprises."

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Foshee	Smith (B)	
Bailey	Denton	Hand	Smith (J)	
Bennett	Dial	Langford	Strong	
Cabaniss	Dixon	Little	Teague	
Corbett	Ellis	Sanders		—18

*Nays:* —0

And said Bill, S. B. 64, as thus amended, was read a third time at length as required by the Constitution, and passed, and ordered sent forthwith to the House.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Parsons	
Bailey	deGraffenried	Hand	Sanders	
Bedford	Denton	Hilliard	Smith (B)	
Bedsole	Dial	Langford	Smith (J)	
Bennett	Dixon	Little	Strong	
Cabaniss	Ellis	Mitchem	Teague	—23

*Nays:* —0

### FURTHER CONSIDERATION OF S. B. 60

The Senate proceeded to further consideration of the Bill, S. B. 60.

The Standing Committee on Governmental Affairs reported the following substitute for the Bill, S. B. 60, to-wit:

### COMMITTEE SUBSTITUTE FOR S. B. 60

#### A BILL TO BE ENTITLED AN ACT

To authorize the payment of a compensation incentive for personnel assigned by the sheriff of a county, on a regular basis, to conduct internal investigations or to assist in the accountability of funds governed by the respective sheriffs.

Be It Enacted by the Legislature of Alabama:

Section 1. Personnel assigned by the sheriff of a county to conduct internal personnel investigations, on a regular assignment, or to assist in the accounting or accountability of funds assigned to such investigative unit and governed by the sheriff of the county shall receive one pay grade or five percent above the maximum pay received by any personnel, with the same pay classification or rank including any and all incentive pay when recommended by the sheriff to the county governing body.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 39. To amend Article III, Section 9 of Act No. 1272, H. 620, 1973 Regular Session (Acts 1973, p. 2124), as amended by Act No. 791, H. 801, 1975 Regular Session (Acts 1975, p. 1585), said section relating to investment of the fund established for a retirement and relief system for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census as established originally by Act No. 929, S. 676, 1951 Regular Session (Acts 1951, p. 1579), as amended, said Article III, Section 9 to be amended in full to provide that the Board of Managers of any such fund shall also have authority to approve investments of the fund after their making by the designee of the Board, to provide that investments of the fund in bonds and stocks of private corporations shall not exceed seventy-five percent (75%) of the funds available for investment, and, to provide that investments in stocks of private corporations shall not exceed fifty percent (50%) of the funds available for investment.

CHARLES BISHOP,  
Chairperson.

### FURTHER CONSIDERATION OF S. B. 60

The Senate proceeded to further consideration of the Bill, S. B. 60. The question was on the committee substitute.

Senator Hand offered the following amendment to the committee substitute for the Bill, S. B. 60, to-wit:

### AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 60

Amend Senate Bill No. 60 Page 1 Line 29, by striking out "above" after the word percent

and inserting "below"

On motion of Senator Parsons, further consideration of the Bill, S. B. 60, and pending substitute and amendment, was postponed subject to the call of the Chair.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 94. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.



was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Sanders	
Bailey	Denton	Hilliard	Smith (B)	
Bedsole	Dixon	Holmes	Smith (J)	
Bennett	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	
Corbett	Goodwin	Menton		—22

Nays: —0

Senator Bailey requested and received permission to suspend the Rules in order to bring up the Bill:

S. 107. To authorize and provide for the promotion of the production, marketing, use and sale of catfish and catfish products by research, education, advertising and other methods; to prescribe a method whereby catfish producers may act jointly with handlers, buyers, dealers, processors, manufacturers and distributors of catfish feed, the state board of agriculture and industries, and others, for a promotional program; to provide that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments; to provide for the regulations, requirements and authority relative thereto; to provide for refund of assessments; to prescribe duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the catfish producers of Alabama; to provide for the administration thereof by a commission, council, board or other agency or a non-profit association which is fairly and substantially representative of the producers of catfish throughout the state; to provide for collection and distribution of assessments by dealers, handlers, buyers, manufacturers and distributors of catfish feed; to require an annual permit of such dealers, handlers, buyers, manufacturers and distributors of catfish feed; and to prescribe other administrative, enforcement, promotional and penalty provisions.

And said Bill, S. B. 107, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Corbett	Hand	Sanders	
Bailey	deGraffenried	Hilliard	Smith (B)	
Bedford	Denton	Holmes	Smith (J)	
Bedsole	Dixon	Langford	Strong	
Bennett	Ellis	Little	Teague	
Cabaniss	Goodwin	Menton		—22

Nays: —0

### RESOLUTION

Senator Sanders offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. COMMENDING STATE REPRESENTATIVE

**LUCIUS BLACK FOR OUTSTANDING SERVICE TO THE SUMTER COUNTY SCHOOL SYSTEM.**

WHEREAS, State Representative Lucius Black of York, Alabama, is a prominent public school educator and member of the faculty at Livingston High School; and

WHEREAS, during his 14-year tenure at Livingston, Representative Black has taught band, choral music and mathematics; and

WHEREAS, Mr. Black, who represents House District 67, has indeed distinguished himself during his 35 years as an employee of the Sumter County School System, rendering outstanding service to the youth and all citizens of Sumter County, Alabama; and

WHEREAS, regrettably, Representative Black has announced his retirement from the school system effective June 1, 1984; his contributions, however, have been of lasting effect and of long-reaching positive influence; and

WHEREAS, Representative Black was educated in the public schools of Monroe County and holds the B.S. degree from Alabama State University and the Master's degree from Columbia University; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we hereby most highly commend State Representative Lucius Black for outstanding service to the Sumter County School System and as a distinguished Alabama educator and public servant.

**BE IT FURTHER RESOLVED,** That in token of our deep admiration and esteem, a copy of this resolution shall be presented to our colleague and friend, Representative Lucius Black.

On motion of Senator Sanders, the Rules were suspended and the Resolution was adopted by the Senate.

**BILLS ON THIRD READING RESUMED**

Senator Bennett requested and received permission to suspend the Rules in order to bring up the Bill:

S. 69. Amending Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

And said Bill, S. B. 69, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Little	
Bailey	deGraffenried	Foshee	Menton	
Bedford	Denton	Goodwin	Smith (B)	
Bedsole	Dial	Hand	Smith (J)	
Bennett	Dixon	Holmes	Strong	
Cabaniss	Drinkard	Langford	Teague	—23

*Nays:*

—0

The Bill:

S. 66. To amend Section 32-5A-154, Code of Alabama 1975, which prohibits overtaking and passing school busses, so as to increase the penalties for violations.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	deGraffenried	Goodwin	Menton	
Bailey	Denton	Hand	Smith (B)	
Bedford	Dial	Hilliard	Smith (J)	
Bedsole	Dixon	Holmes	Strong	
Bennett	Ellis	Langford	Teague	
Corbett	Foshee	Little		—22

Nays: —0

On motion of Senator Little, the name of Senator Corbett was added as co-sponsor of the above Bill, S. B. 66.

The Bill:

S. 101. To amend Sections 34-11-2, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-13, 34-11-15, 34-11-32, and 34-11-35 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors, so as to regulate further such registration and the fees therefor; to provide for the issuance of certificates of authorization to certain corporations, partnerships or firms practicing engineering or land surveying; and to regulate further the compensation of members of the board of registration for professional engineers and land surveyors, and to provide for corporate practice.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Senators:	Denton	Goodwin	Menton	
Bailey	Dial	Hand	Mitchem	
Bedford	Dixon	Hilliard	Smith (B)	
Bedsole	Drinkard	Holmes	Smith (J)	
Bennett	Ellis	Langford	Strong	
Corbett	Foshee	Little	Teague	
deGraffenried				—24

Nays: —0

The Bill:

S. 82. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 82, to-wit:

## COMMITTEE SUBSTITUTE FOR S. B. 82

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 40-17-38 and 40-17-221, Code of Alabama 1975, are hereby amended to read as follows:

“§ 40-17-38.

“The commissioner of the department of revenue is hereby authorized and directed to allow refiners, storers, distributors or wholesalers, as defined by section 40-17-30, who have been licensed by the department of revenue under the provisions of section 40-12-191, and who have made bond, as is required under section 40-12-194, a discount in an amount equal to two percent of the first \$5,000.00 of tax paid and one percent of all amounts of tax paid in excess of \$5,000.00 under the provisions of section 40-17-31, as amended, and section 40-17-221, as amended, not to exceed in any case ~~200.00~~ \$400.00 on taxes paid in any one month, the amount of said discount being for the purpose of partially defraying the costs to such licensed and bonded refiners, storers, distributors or wholesalers of making reports to the department of revenue and of maintaining complete and accurate records to the reporting and paying of this tax. Whoever defaults in reporting and paying such taxes when the same become due and payable to the state shall not be allowed a discount under this section.

The commissioner of the department of revenue shall allow distributors or wholesalers, as defined in section 40-17-30, who have been licensed by the department of revenue under the provisions of section 40-12-191, and who have made bond, as required in section 40-12-194, and who remit their state gasoline taxes based on receipts, a discount in an amount equal to two percent of all amounts of gasoline taxes paid under the provisions of section 40-17-31, as amended, and section 40-17-220, as amended, the amount of said discount, which shall not exceed \$500.00 per month, being for the purpose of partially defraying the cost of losses in volume due to the evaporation shrinkage incurred in the handling of gasoline by such licensed and bonded distributors or wholesalers as defined in this article. The commissioner of revenue is authorized and directed to promulgate reasonable rules and regulations to effectuate the purposes of this section.”

“§ 40-17-221.

“(a) The provisions of this article pertaining to gasoline and the tax herein levied on gasoline shall be administered and collected in accordance with sections 40-17-30; 40-17-32 through 40-17-37; 40-17-38, as amended; 40-17-39 through 40-17-49; and 40-17-52; ; and 40-17-220.

“(b) The provisions of this article pertaining to motor fuel and the tax herein levied on motor fuel shall be administered and collected in accordance with sections 40-17-1; 40-17-3 through 40-17-12; 40-17-14 through 40-17-20.

“(c) The provisions of this article pertaining to lubricating oil and the tax herein levied on lubricating oil shall be administered and collected in

accordance with sections 40-17-170; 40-17-173; 40-17-176 through 40-17-186."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Senator deGraffenried offered the following amendment to the committee substitute for the Bill, S. B. 82, to-wit:

**AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 82**

Amend S. B. 82, Page 1, Section 1, line 32 by deleting the numerical characters "40-17-221" and inserting in place thereof "40-17-220".

Which was adopted.

Senator deGraffenried then offered the following amendment No. 2 to the committee substitute, as amended, for the Bill, S. B. 82, to-wit:

**AMENDMENT TO COMMITTEE SUBSTITUTE, AS  
AMENDED, FOR S. B. 82**

Amend S. B. 82, Page 2, Section 2, line 33 as follows:

Section 2. This act shall become effective ~~immediately upon~~ on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

And said committee substitute, as thus amended, was then adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Mitchem	
Bailey	Denton	Holmes	Smith (J)	
Bedsole	Drinkard	Langford	Strong	
Bennett	Ellis	Little	Teague	
Corbett	Goodwin	Menton		—18

*Nays:* —0

And said Bill, S. B. 82, as amended by the substitute, as amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 17; Nays 1.

*Yeas:*

Senators:	deGraffenried	Hand	Sanders	
Bedsole	Denton	Holmes	Smith (J)	
Bennett	Drinkard	Langford	Strong	
Cabaniss	Ellis	Menton	Teague	
Corbett	Goodwin			—17

*Nay:* Senator Little —1

**RESOLUTION**

Senators Bennett and Bedford offered the following Senate Joint Resolution, to-wit:

**S. J. R. 43. URGING ADEM TO CONSIDER POTENTIAL HAZARDS OF RESUMING DEEP WELL INJECTIONS.**

WHEREAS, the practice of deep well injections for disposal of liquid toxic waste was banned in Alabama by the Alabama Water Improvement Commission two years ago; and

WHEREAS, the Alabama Department of Environmental Management, which has assumed AWIC functions, is now considering a recommendation that this practice be resumed; and

WHEREAS, those advocating such wells, known as Class I, say under the right conditions they are efficient, effective means of disposal; and

WHEREAS, those who oppose them say Class I wells have not worked in Alabama and pose environmental hazards, especially to aquifers or underground sources of drinking water; and

WHEREAS, Chemical Waste Management, the company which operates the nation's largest toxic waste site in Sumter County, Alabama, was recently fined \$10 million by EPA for environmental violations in Ohio, including leakage by deep well injections into underground water systems; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA,** That the Alabama Environmental Commission act only with all due consideration as to potential environmental damage, and

**BE IT FURTHER RESOLVED,** That if any such decision to resume the practice is made that it be accompanied by routine state inspections to protect area water quality.

Which was read and referred to the Standing Committee on Rules.

**BILLS ON THIRD READING RESUMED**

The Bill:

**S. 9.** To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license plate of a vehicle or an engine, so as to provide for the forfeiture and condemnation of certain items seized pursuant to this section.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	deGraffenried	Hand	Mitchem
Bailey	Denton	Holmes	Sanders
Bedford	Dial	Langford	Smith (J)
Bedsole	Ellis	Little	Strong
Bennett	Foshee	Menton	Teague
Cabaniss	Goodwin		

—21

Nays:

—0

Senator Goodwin requested and received permission to suspend the Rules in order to bring up the Bill:

S. 13. To amend Section 36-22-16 of the Code of Alabama, 1975, to provide for the compensation of the sheriffs of the several counties in this state.

And said Bill, S. B. 13, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 2.

*Yeas:*

Senators:	Denton	Hilliard	Mitchem
Bailey	Dial	Holmes	Smith (J)
Bedford	Ellis	Langford	Strong
Bennett	Foshee	Menton	Teague
deGraffenried	Hand		

—17

*Nays:*

Senators:	Cabaniss	Little	—2
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### RESOLUTION

Senators Bennett and Bedford offered the following Senate Resolution, to-wit:

S. R. 44. URGING ADEM TO CONSIDER POTENTIAL HAZARDS OF RESUMING DEEP WELL INJECTIONS.

Which was adopted.

### BILLS ON THIRD READING RESUMED

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

S. 5. To amend the "Alabama Environmental Management Act," the "Alabama Air Pollution Control Act of 1971," as amended, and the "Alabama Safe Drinking Water Act of 1977," as amended, specifically amending sections 22-22A-5, 22-22A-11, and 22-23-39, Code of Alabama 1975, as amended, and repealing section 22-25-10, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management (ADEM) to establish procedures for the collection of fees from applicants for permits, licenses, certifications or variances, such fees to be based on the reasonable anticipated cost to ADEM of the examination and processing of applications, plans, specifications or other data, investigations and public hearings for the issuance, reissuance, modification or denial of any permit, license, certification or variance; to authorize ADEM to recover from a violator the actual costs reasonably incurred by ADEM to prevent, minimize or abate any adverse effect on air, land or water resources which results or may result from a violation of a law, rule or regulation, or a permit, certification or variance issued by ADEM; to require the suppliers of drinking water to reimburse ADEM for the reasonable anticipated cost of bacteriological, sanitary and chemical analysis required to be performed under the "Alabama Safe Drinking Water Act of 1977;" and to appropriate all moneys deposited in the Alabama Department of Environmental Management Fund to the use of ADEM.

And said Bill, S. B. 5, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Dial	Hand	Mitchem	
Bailey	Drinkard	Hilliard	Sanders	
Bennett	Ellis	Holmes	Smith (J)	
deGraffenried	Foshee	Langford	Strong	
Denton	Goodwin	Menton	Teague	—19

Nays:

—0

**RESOLUTION**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 45. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fourth legislative day of the 1984 First Special Session only:

Inst Id		Page
S. 119	Corporations, pass thru tax treatment of shareholders in cert. sub. chapter S corps. auth., Sec. 40-18-31 am'd.	45

On motion of Senator deGraffenried, the Resolution was adopted by the Senate.

**SPECIAL ORDER****BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, which was the Bill:

S. 119. To update Section 40-18-31, Code of Alabama, 1975, which levies and imposes upon every corporation organized under the laws of Alabama a tax on their entire net income so as to allow separate recognition of "Subchapter S Corporations" organized under the laws of Alabama and to provide for pass-through tax treatment to shareholders of said domestic "Subchapter S Corporations" in accordance with similar provisions under federal law.

And said Bill, S. B. 119, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 1.

Yeas:

Senators:	Denton	Hand	Menton	
Bedford	Dial	Hilliard	Mitchem	
Bennett	Ellis	Holmes	Sanders	
Cabaniss	Foshee	Langford	Smith (J)	
Cooley	Goodwin	Little	Strong	
deGraffenried				—20

Nay: Senator Teague

—1



**POINT OF PERSONAL PRIVILEGE**

Senator Covington requested that the Journal show that had he been present when the Bill, S. B. 2, was passed, he would have voted "Aye".

**ADJOURNMENT**

At 6:05 P.M., on motion of Senator deGraffenried, the Senate adjourned until Thursday, May 31, 1984, at 10:30 A.M.

**FIFTH LEGISLATIVE DAY****THURSDAY, MAY 31, 1984**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Mr. James E. Newton, Deacon, Woodley Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Murray Meadows, Vestavia Hills High School, Birmingham, Alabama.

**ROLL CALL**

Present:

<b>Senators:</b>	Cabaniss	Foshee	Menton
Aldridge	Cooley	Goodwin	Mitchem
Amari	Corbett	Hand	Parsons
Bailey	Covington	Hilliard	Sanders
Barron	deGraffenried	Holmes	Smith (J)
Bedsole	Denton	Langford	Strong
Bennett	Dial	Little	Teague
Bishop	Ellis		

—29

**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fourth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Bedford, Dixon, Drinkard, Figures, Pearson, and Smith (B) for today.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 64. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, as amended, replacing and specifically repealing Sections 93, 94, 211, 212, 213, 214, 217, 218, 219, 222, 224, 225 and 226 of the Constitution of 1901, as amended, and Amendments 23, 25, 53, 61, 93, 107, 108, 116, 126, 160, 212, 225, 228, 272 and 398 to said Constitution; providing for an election thereon; and prescribing an effective date for the proposed Amendment.

Also:

S. 82. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

CHARLES BISHOP,  
Chairperson.

**REPORTS OF COMMITTEES**

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 160. To amend Section 11-3-4.1 Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 161. To provide further for tax exemptions, to exempt the World Championship Domino Tournament of Andalusia, sponsored by the Andalusia Rotary Club, and the World Championship Rattlesnake Rodeo, Opp, Alabama, and sponsored by the Opp Jaycees, from the payment of all state, county and municipal sales and use taxes.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senators Amari and Bennett:

S. 146. To insure that all persons whose primary condition is mental retardation and are accused of a crime, be identified by appropriate testing procedures between the time of their arrest and first formal court appear-

ance so that insofar as is possible within the existing criminal justice system, such individuals can be most fairly processed in view of their special problems.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Senator Hilliard (With Substitute):

S. 145. Providing for the reapportionment of the State Board of Education of Alabama based upon the 1980 census.

Senator Hilliard, Chairperson of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Langford:

S. 144. To amend Section 40-12-49, Code of Alabama 1975, relating to license tax levied on attorneys, so as to increase the amount of said tax and to remove certain tax exemptions.

By Senator Cooley:

S. 155. To amend the obscenity laws, specifically amending Section 13A-12-151, Code of Alabama 1975, so as to provide for the punishment of obscene communications by telephone made for commercial purposes.

By Senators Strong and Ellis:

S. 158. To exempt all persons employed in public schools from liability for certain communications concerning the suspected use, possession, sale or furnishing of any controlled substance by any student, to the student's parents, law enforcement officers or health care providers.

By Senator Bailey:

S. 154. Relating to prescription drugs which are not controlled substances, to prohibit the sale of such drugs and prescribing penalties therefor.

By Senators Covington and Foshee:

S. 68. Providing a supplement to the salaries of the circuit judges and district attorney of the 12th judicial circuit to be paid in equal parts by the counties composing the circuit.

By Senator Teague:

S. 24. To authorize and direct the commissioner of conservation and natural resources to return by a proper conveyance to Amos Garrett that certain parcel of real property in Baldwin County heretofore conveyed by Amos Garrett to the State of Alabama to be used for the location of a highway bridge which site was abandoned by the state for that purpose and the bridge was constructed at another site.

**RESOLUTIONS**

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 46. RESOLVED BY THE SENATE That the following bills in the order named shall by the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1984 First Special Session only:

Inst Id		Page
S. 153	Corporations; tax treatment for sub-chapter S Corporations	43
S. 152	Department of Aeronautics transferred to Highway Dept., Bd. created	42
S. 76	Crimes and offenses; assault in first degree to incld. causing injury with vehicle while DUI; Sec. 13A-6-20 am'd	8
S. 59	Missing persons, time & manner of investigations, penalties for false reporting	6
S. 110	Swine disease eradication.	30
S. 12	Secretary of St. Supp. app.	27
S. 137	Absentee ballot, write-in, for cert. elections, runoff general elections provided for, Secs. 17-10-3 and 17-10-5 am'd	19
S. 6	Municipalities, one or more, may indiv. or collectively estab. health and acc. group self-ins. for mun. off. and emp.; such groups exempt from regulations of ins. dept. and ins. prem. taxes	14
S. 156	Officials authorized to issue motor vehicle license plates may refuse to do so where applicant fails to furnish proof of payment of Fed. Heavy Vehicle Excise Tax	44
S. 99	Board of Adjustment, delivery to agency against whom judgment rendered, sec. 41-9-71 am'd.	30
S. 93	Probate Judge, reg. to use mental health facilities for insanity determination attys., indigent fee schedule, Sec. 22-52-14 am'd.	22
S. 55	Tannehill furnace and foundry comm., employees included in workmen's comp. coverage, Sec. 25-5-1 amended.	40
S. 34	Dale Co., Bd. of Registrars, meeting days alt., Sec. 17-4-156 am'd.	15
S. 50	Legislators and Gov. staff membs., bds. of ed. and colleges to grant leave of absence to cert. employees serving as.	20
S. 81	Forestry Comm.; auth. to transfer title on cert. equipment to counties	18

On motion of Senator Bishop, the Resolution was adopted by the Senate.

Senators Foshee, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 47. CONGRATULATING MR. AND MRS. J. FOY COVINGTON ON THEIR FORTHCOMING 50TH WEDDING ANNIVERSARY.**

WHEREAS, it is with great pleasure that the Legislature of Alabama notes the forthcoming Golden Wedding Anniversary, July 23, 1984, of Mr. and Mrs. J. Foy Covington of Dale County, Alabama; and

WHEREAS, J. Foy Covington and his lovely bride, Miss Jewell Barefield, were united in marriage on July 23, 1934, and for the past fifty years have lived their lives as one, devoted each to the other, and have remained steadfastly faithful to their marriage vows, setting an enviable example for others; and

WHEREAS, Mr. and Mrs. Covington are both lifelong residents of the Bertha Community, Dale County, and are now retired; Mr. Covington, as a farmer and timberman, and Mrs. Covington from the teaching profession; and

WHEREAS, the parents of two children, J. Foy Covington, Junior, and Judy G. Richardson, Mr. and Mrs. Covington also have three grandsons and one granddaughter; and

WHEREAS, we further note with pleasure that the Golden Wedding Anniversary of Mr. and Mrs. J. Foy Covington will be celebrated on July 15, 1984, on which date they will be honored at a reception to be held in their home and hosted by their children; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we join with family and friends in congratulating this exemplary Dale County couple, Mr. and Mrs. J. Foy Covington, and extend to them sincere best wishes for many more happy years together.

**BE IT FURTHER RESOLVED,** That Mr. and Mrs. Covington receive a copy of this resolution in expression of our warmest personal regard.

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

### **SPECIAL ORDER**

#### **BILLS ON THIRD READING**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

**S. 153.** To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporations; and to pro-

vide for the determination of the amount of taxable income for such corporations.

And said Bill, S. B. 153, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

Abstaining 1.

Yeas:

Senators:	Cabaniss	Foshee	Langford	
Barron	Cooley	Goodwin	Little	
Bedsole	Covington	Hand	Mitchem	
Bennett	deGraffenried	Holmes	Teague	
Bishop	Denton			—17

Nay: Senator Bailey —1

Abstaining: Senator Strong —1

The Bill:

S. 152. To repeal Sections 4-2-30, 4-2-31, 4-2-32, 4-2-33, 4-2-35, 4-2-35.1, and 4-2-36 of the Code of Alabama, 1975, as amended, relating to the creation, composition, appointment, and function of the Alabama Department of Aeronautics and the Alabama Aeronautics Commission and the powers, duties, qualifications, and functions of the Director of Aeronautics and the Assistant Director of Aeronautics so as to abolish the Alabama Department of Aeronautics and the Alabama Aeronautics Commission; and to transfer all duties, powers, responsibilities, authorities, and functions thereof to the State Highway Department; and to establish an Aeronautics Bureau of the State Highway Department; and to create the position of Bureau Chief of the Aeronautics Bureau of the State Highway Department; and to create an Aeronautics Board and to specify its duties and authorities; to provide for the appointment, duties, and compensation of the Board members; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 15; Nays 4.

Yeas:

Senators:	Covington	Goodwin	Parsons	
Bailey	deGraffenried	Holmes	Sanders	
Bishop	Denton	Langford	Smith (J)	
Corbett	Foshee	Menton	Teague	—15

Nays:

Senators:	Hand	Little	Mitchem	
Cabaniss				—4

The Bill:

S. 76. To amend Section 13A-6-20 of the Code of Alabama 1975, relating to assault in the first degree so as to provide further for the elements of such crime.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

<b>Sensors:</b>	Covington	Holmes	Parsons	
Amari	deGraffenried	Langford	Sanders	
Cabaniss	Denton	Little	Smith (J)	
Cooley	Goodwin	Menton	Strong	
Corbett	Hand	Mitchem		—18

*Nays:* —0

*The Bill:*

S. 59. Relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty for making a false report of a missing person.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

<b>Sensors:</b>	Bishop	Dial	Langford	
Amari	Cabaniss	Foshee	Little	
Bailey	Covington	Goodwin	Menton	
Bedsole	deGraffenried	Hand	Mitchem	
Bennett	Denton	Holmes	Smith (J)	—19

*Nays:* —0

*The Bill:*

S. 110. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1985, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

<b>Sensors:</b>	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Mitchem	
Bedsole	deGraffenried	Holmes	Smith (J)	
Bennett	Denton	Langford	Strong	
Cabaniss	Foshee	Little		—18

*Nays:* —0

*The Bill:*

S. 12. To make a supplemental appropriation from the general fund in the state treasury to the office of the Secretary of State for the fiscal year ending September 30, 1985.

was taken up.

On motion of Senator Goodwin, further consideration of the Bill, S. B. 12, was postponed subject to the call of the Chair.



The Bill:

S. 137. To amend Sections 17-10-3 and 17-10-5, Code of Alabama, 1975, relating to application to vote by absentee ballots and the ballot therefor, so as to permit certain eligible qualified electors of Alabama to apply for and to vote a "write-in" absentee ballot in certain primary elections and at the same time the runoff and general elections; to provide that this act does not apply to municipal elections; and to provide an effective date.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, S. B. 137, to-wit:

**COMMITTEE AMENDMENT TO S. B. 137**

Amend Senate Bill No. 137, Page 4, Line 2, by inserting between the words "section" and "shall" the following:

"authorizing the furnishing of an absentee ballot for more than one election".

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Little	
Amari	Covington	Hand	Menton	
Bedsole	deGraffenried	Hilliard	Smith (J)	
Bennett	Denton	Holmes	Strong	
Cabaniss	Dial	Langford		—18

Nays: —0

And said Bill, S. B. 137, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 19: Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Little	
Amari	Corbett	Hand	Menton	
Bedsole	Covington	Hilliard	Sanders	
Bennett	deGraffenried	Holmes	Smith (J)	
Bishop	Dial	Langford	Strong	—19

Nays: —0

The Bill:

S. 6. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such officers or employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from the regulation by the Department of Insurance of the State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Little	
Amari	Covington	Hand	Menton	
Bailey	deGraffenried	Hilliard	Sanders	
Bedsole	Denton	Holmes	Smith (J)	
Bennett	Dial	Langford	Strong	
Cabaniss	Foshee			—21

Nays: —0

Senator Bishop requested and received permission to suspend the Rules in order to bring up the Bill:

S. 62. To amend Section 25-3-4 of the Code of Alabama 1975, relating to investigations and adjustments of wage claim controversies by the commissioner of the department of labor, so as to provide further for such investigations and adjustments by prescribing certain procedures for settlement of such controversies.

On motion of Senator Corbett, further consideration of the Bill, S. B. 62, was postponed subject to the call of the Chair.

The Bill:

S. 156. To provide that those officials authorized to issue motor vehicle license plates shall have the authority to require proof of payment of the Federal Heavy Motor Vehicle Excise Tax imposed by Title 26 U.S.C. § 4481, in order to insure that the State of Alabama does not suffer any reduction in the State's share of federal highway funds as provided by Title 23 U.S.C. § 141(d), and to prohibit the issuance of motor vehicle license plates to those motor vehicles having a taxable gross weight of 33,000 pounds or more until the applicant provides proof that the tax imposed by Title 26 U.S.C. § 4481, has been paid for the particular motor vehicle sought to be registered and licensed.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Covington	Goodwin	Menton	
Bailey	deGraffenried	Hand	Mitchem	
Bennett	Denton	Hilliard	Sanders	
Bishop	Dial	Langford	Smith (J)	
Cabaniss	Foshee	Little	Strong	
Corbett				—20

Nays: —0

The Bill:

S. 99. To amend 1975 Code of Alabama, Section 41-9-71, to conform to current operating procedures and laws which have been revised since passage of this act in 1935.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Dial	Little	
Aldridge	Corbett	Foshee	Menton	
Amari	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hilliard	Smith (J)	
Bedsole	Denton	Langford	Strong	—19

*Nays:* —0

The Bill:

S. 93. To amend 1975 Code of Alabama, Sections 22-52-14 and 22-52-17, which relate to mental health evaluations and commitments so as to require all probate judges to utilize mental health facilities of the State of Alabama when available and to establish rates for attorney services in representing indigent persons.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Mitchem	
Aldridge	Corbett	Goodwin	Sanders	
Bailey	Covington	Hilliard	Smith (J)	
Bedsole	deGraffenried	Little	Strong	
Bishop	Denton	Menton		—18

*Nays:* —0

The Bill:

S. 55. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill furnace and foundry commission, so that such employees would be covered by workmen's compensation.

was taken up.

The Standing Committee on Business and Labor Relations reported the following substitute for the Bill, S. B. 55, to-wit:

#### COMMITTEE SUBSTITUTE FOR S. B. 55

#### A BILL TO BE ENTITLED AN ACT

To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill Furnace and Foundry Commission, so that such employees would be covered by workmen's compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 25-5-1, Code of Alabama 1975, is hereby amended to read as follows:

“§ 25-5-1.

“Throughout this chapter, the following words and phrases as used therein shall be considered to have the following meanings, respectively, unless the context shall clearly indicate a different meaning in the connection used:

“(1) **COMPENSATION.** Such term indicates the money benefits to be paid on account of injury or death. Strictly speaking, the benefit which an employee may receive by action at law under article 2 of this chapter is damages, and this is indicated in Section 25-5-31. To avoid confusion, the word ‘compensation’ has been used in this chapter, but it should be understood that under article 2 the compensation by way of damages is determined by a civil action. Such term does not include medical and surgical treatment and attention, medicine, medical and surgical supplies, crutches and apparatus furnished an employee on account of an injury.

“(2) **CHILD OR CHILDREN.** Such terms include posthumous children and all other children entitled by law to inherit as children of the deceased; stepchildren who were members of the family of the deceased, at the time of the accident, and dependent upon him for support; a grandchild of the deceased employee, whose father is dead or is an invalid, and who was supported by and a member of the family of such deceased grandparent at the time of the accident.

“(3) **DEPENDENT CHILD OR ORPHAN.** An unmarried child under the age of 18 years or one over that age who is physically or mentally incapacitated from earning.

“(4) **EMPLOYER.** Every person not excluded by Section 25-5-50 who employs another to perform a service for hire and pays wages directly to such person. Such term shall include any person, corporation, copartnership or association, or group thereof, and shall, if the employer is insured, include his insurer, such insurer being entitled to the employer’s rights, immunities and remedies under this chapter, as far as applicable, and shall not include one who regularly employs a number less than three in any business. Notwithstanding any section of articles 2 and 3 of this chapter, in no event shall a common carrier by motor vehicle operating pursuant to a certificate of public convenience and necessity be deemed the ‘employer’ of a leased-operator or owner-operator of a motor vehicle or vehicles under contract to such a common carrier.

“(5) **PHYSICIAN.** Such term shall include ‘surgeon,’ and, in either case, shall mean one authorized by law to practice his profession within one of the United States and in good standing in his profession at the time.

“(6) **EMPLOYEE AND WORKMAN.** Such terms are used interchangeably and have the same meaning throughout this chapter, and shall be construed to mean the same. Such terms include the plural and all ages and both sexes. Such terms include every person not excluded by Section 25-5-50, in the service of another under any contract of hire, express or implied, oral or written, including aliens and also including minors who are legally permitted to work under the laws of this state, and also including all employees of Tannehill Furnace and Foundry Commission. Any reference in this chapter to a ‘workman’ or ‘employee’ shall, where the workman or employee is dead, include his dependents, as defined in this chapter, if the context so requires.

"(7) WAGES OR WEEKLY WAGES. Such terms shall in all cases, unless the context clearly indicates a different meaning, be construed to mean 'average weekly earnings.' Every person, not excluded by Section 25-5-50, in the service of another under any contract of hire, express or implied, oral or written, includes aliens and also includes minors who are legally permitted to work under the laws of the state.

"(8) ACCIDENT. Such term, as used in the phrases 'personal injuries due to accident' or 'injuries or death caused by accident' shall, unless a different meaning is clearly indicated by the context, be construed to mean an unexpected or unforeseen event, happening suddenly and violently, with or without human fault, and producing at the time injury to the physical structure of the body or damage to an artificial member of the body by accidental means.

"(9) INJURIES BY AN ACCIDENT ARISING OUT OF AND IN THE COURSE OF HIS EMPLOYMENT. Without otherwise affecting either the meaning or interpretation of such clause, such clause does not cover workmen except while engaged in or about the premises where their services are being performed or where their service requires their presence as a part of such service at the time of the accident and during the hours of service as such workmen, and shall not include an injury caused by the act of a third person or fellow employee intended to injure the employee because of reasons personal to him and not directed against him as an employee or because of his employment, and it shall not include a disease unless the disease results proximately from the accident.

"(10) SINGULAR AND PLURAL. Wherever the singular is used, the plural shall be included.

"(11) GENDER. Where the masculine gender is used, the feminine and neuter shall be included.

"(12) LOSS OF HAND OR FOOT. Amputations between the elbow and wrist shall be considered as the equivalent to the loss of a hand, and the amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot.

"(13) THE COURT. Such term shall mean the circuit court which would have jurisdiction in an ordinary civil action involving a claim for the injuries or death in question, and 'the judge' shall mean a judge of said court."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton
Aldridge	Corbett	Goodwin	Sanders
Bailey	Covington	Hilliard	Smith (J)
Bedsole	deGraffenried	Langford	Strong
Bennett	Denton	Little	

—18

Nays:

—0

And said Bill, S. B. 55, as thus amended by the substitute, was read a third time at length and passed, and ordered went forthwith to the House.

Yeas 20; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hilliard	Sanders	
Bedsole	Denton	Langford	Smith (J)	
Bennett	Dial	Little	Strong	
Cabaniss				—20

Nays: —0

The Bill:

S. 34. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Dale County's board of registrars meeting days.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Menton	
Aldridge	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hilliard	Sanders	
Bedsole	Denton	Langford	Smith (J)	
Bennett	Dial	Little	Strong	—19

Nays: —0

The Bill:

S. 50. To provide that local city and county boards of education, boards of trustees of colleges and universities and governing boards of other public supported education institutions shall provide certain leave options for tenured professional employees who serve in the Alabama legislature and full time members of the Governor's staff.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 1.

Abstaining 1.

Yeas:

Senators:	Corbett	Hand	Menton	
Aldridge	Covington	Hilliard	Parsons	
Bailey	deGraffenried	Langford	Sanders	
Barron	Denton	Little	Smith (J)	
Cabaniss	Foshee			—17

Nay: Senator Dial —1

Abstaining: Senator Strong —1

The Bill:

S. 81. Authorizing the Alabama Forestry Commission to transfer title on certain used and obsolete equipment to a county when such equipment is scheduled for replacement.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Mitchem	
Bailey	deGraffenried	Hand	Sanders	
Bedsole	Denton	Langford	Smith (J)	
Cabaniss	Dial	Little	Strong	
Corbett	Foshee	Menton		—18
<i>Nays:</i>				—0

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 48. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the fifth legislative day of the 1984 First Special Session only:

Inst Id		Page
S. 4	State agencies, social security office, references deleted in Secs. 36-28-1, 36-28-3 through 36-28-10, and 36-28-5; certain delinq. accts. assess penalty	13
S. 44	State Employees, liab. insurance provided by st. agencies, phased in period, Sec. 36-1-6.1 am'd.	3
S. 67	Finance Dept. auth. to make certain electronic transfers of certain warrants upon approval of payee, Sec. 41-4-50 am'd.	3
S. 133	Defense of indigents, comp. of atty's and reimbursement of expenses, st. comptroller recover from Fair Trial Tax fund for exp. of adm. indigent defense, Secs. 15-12-20 thr. 15-12-22, 15-12-24 and 12-19-252 am'd	23

On motion of Senator Bishop, the Resolution was adopted by the Senate.

### SPECIAL ORDER

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the second special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 4. To amend Sections 36-28-1, 36-28-3, 36-28-4, 36-28-5, 36-28-6, 36-28-7, 36-28-8, 36-28-9 and 36-28-10 of the Code of Alabama 1975, which provide for a state social security agency, so as to provide further for a state office of social security under the state comptroller and to provide for certain penalties to be assessed on certain delinquent social security accounts processed by such state office.

And said Bill, S. B. 4, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Covington	Goodwin	Mitchem	
Aldridge	deGraffenried	Hand	Parsons	
Bedsole	Denton	Hilliard	Sanders	
Cabaniss	Dial	Little	Smith (J)	
Corbett	Foshee	Menton	Teague	—19

*Nays:* —0

The Bill:

S. 44. To amend Section 36-1-6.1, Code of Alabama 1975, as amended, to allow a phase in period for employee liability insurance.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill, S. B. 44, was postponed subject to the call of the Chair.

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

S. 61. To provide for the crime of library theft; to authorize, under certain circumstances, library employees or agents to detain suspected offenders if such detention is based on probable cause; to provide criminal and civil immunity for such library personnel for detentions and resulting arrests authorized under this act; to authorize arrest for the offense by law enforcement officers, without a warrant and upon probable cause; to provide a misdemeanor penalty for the offence which shall be cumulative to existing theft penalties of this state; and to require public and conspicuous display of the provisions of this act in libraries and other institutions covered by this act.

And said Bill, S. B. 61, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	deGraffenried	Hand	Parsons	
Bedsole	Denton	Hilliard	Sanders	
Cabaniss	Dial	Little	Smith (J)	
Corbett	Foshee	Menton	Teague	
Covington	Goodwin	Mitchem		—18

*Nays:* —0

The Bill:

S. 67. To amend Section 41-4-50 of the Code of Alabama 1975, relating to the division of control and accounts of the department of finance so as to authorize by approval of the payee any state warrant to be deposited in or electronically transferred to any financial institution with this capability.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



Yeas 18: Nays 0.

Yeas:

Senators:	deGraffenried	Hilliard	Parsons	
Bedsole	Dial	Langford	Sanders	
Bennett	Foshee	Little	Smith (J)	
Cabaniss	Goodwin	Menton	Teague	
Covington	Hand	Mitchem		—18

Nays: —0

The Bill:

S. 133. To amend Sections 15-12-20, 15-12-21, 15-12-22 and 15-12-24 of the Code of Alabama 1975, relating to defense of indigents, so as to provide further for representation of indigents; and to provide further for the compensation of counsel and reimbursement for expenses incurred; to authorize the state comptroller to withdraw certain amounts from the fair trial tax fund to cover the expenses of administering indigent defense; and to amend Section 12-19-252 of the Code of Alabama 1975, so as to further provide for annual appropriations from the fair trial tax fund to pay the withdrawals of the state comptroller.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Covington	Hilliard	Parsons	
Bailey	deGraffenried	Langford	Sanders	
Bedsole	Foshee	Little	Smith (J)	
Bennett	Goodwin	Menton	Teague	
Cabaniss	Hand	Mitchem		—18

Nays: —0

Senator Mitchem requested and received permission to suspend the Rules in order to bring up the Bill:

S. 72. To create and establish a Natural Heritage Program in the State Parks Division of the Alabama Department of Conservation and Natural Resources; to provide for the primary purposes and location of the Natural Heritage Program; to define the responsibilities and duties of the Natural Heritage Program staff; to create a Natural Areas Advisory Committee and its duties and responsibilities; to provide for a registry of natural areas and a process for registration and rescission of registrations; to provide for public access to registered areas; to create the Alabama Natural Heritage Trust Commission and its duties and responsibilities; to create an Alabama Natural Heritage Trust and provide for the composition and substantive terms thereof; to provide for the management of said trust; to provide for limited circumstances in which condemnation of any property in said trust may occur; to provide for the promulgation of rules and regulations pursuant to this act and penalties thereof; to provide for funding requests in annual budgets for costs and operating expenses; to provide for the expenditure of trust assets and income; to define the protective provisions of this act; to provide for the sale and issuance of use permits for heritage preserves, and to provide for user or subscription fees for natural area inventory information and protection of said information; and to provide for ad-

vertisement of and solicitation of donations to the Alabama Natural Heritage Program.

WHEREAS, the Alabama Legislature finds that as a part of the continuing growth of the population and development of the economy of the State it is necessary and desirable that portions of the State's rich natural and cultural diversity be set aside as heritage preserves and sites and protect it for the benefit of present and future generations, for once disturbed they cannot be wholly restored; and

WHEREAS, such areas and features are irreplaceable as laboratories for scientific research; as reservoirs of natural materials for which the value and usefulness thereof is not yet fully known; as habitats for rare and vanishing species; and as living museums where people may observe natural biotic and environmental systems and as areas for study and enjoyment as examples of the lands, structures and related artifacts which represent significant parts of our natural and cultural heritage; and

WHEREAS, a number of independent and differing efforts, both private as well as public, have been initiated to protect some of these assets, a coordinated and concerted program is needed in order to avoid duplication and/or conflict among these and other valuable activities and to insure the maximum conservation of these resources through the establishment of a more effective and adequate official legal mechanism for identifying and recognizing and protecting such areas for their outstanding characteristics; and

WHEREAS, it is necessary and desirable to coordinate and share natural heritage information with the other southeastern states; now, therefore,

On motion of Senator Mitchem, further consideration of the Bill, S. B. 72, was postponed subject to the call of the Chair.

The Bill:

S. 150. To amend Sections 11-54-170 and 11-54-171, Code of Alabama 1975, which authorize and make provisions for the incorporation in any Class 1, Class 2 or Class 3 municipality, of Commercial Development Authorities for the purpose of promoting trade and commerce, so as also to provide for the incorporation of such authorities in any Class 7 or Class 8 municipality.

was taken up.

The Standing Committee on Governmental Affairs reported the following amendment to the Bill, S. B. 150, to-wit:

#### COMMITTEE AMENDMENT TO S. B. 150

Amend Senate Bill No. 150, Page 2, Section 1, by deleting lines 1 through 13 in their entirety and inserting in lieu thereof the following:

"incorporated under the laws of this State, of"

Further amend Senate Bill No. 150, Page 2, Section 1, by deleting line 17 in its entirety and the word "municipalities" in line 18 and inserting in lieu thereof the following:

"any municipality"

Further amend Senate Bill No. 150, Page 2, Section 1, line 18 and line 19 by striking the following: Class 1, Class 2, and Class 3, Class 7 and Class 8 municipalities and inserting in lieu thereof the following:

"any municipality"

Further amend Senate Bill No. 150, Page 3, Section 1, Subsection (11), by deleting lines 22 through 34 in their entirety and inserting in lieu thereof the following:

"(11) MUNICIPALITY. Any incorporated city of this State."

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Hand	Parsons	
Bailey	Covington	Holmes	Sanders	
Barron	deGraffenried	Langford	Smith (J)	
Bedsole	Foshee	Little	Teague	
Bennett	Goodwin	Mitchem		—18

*Nays:* —0

And said Bill, S. B. 150, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Little	
Bailey	Corbett	Hand	Parsons	
Barron	Covington	Hilliard	Smith (J)	
Bedsole	deGraffenried	Holmes	Teague	
Bennett	Foshee	Langford		—18

*Nays:* —0

Senator Teague requested and received permission to suspend the Rules in order to bring up the Bill:

S. 32. To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

And said Bill, S. B. 32, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Menton	
Bailey	Corbett	Hand	Mitchem	
Bedsole	deGraffenried	Hilliard	Parsons	
Bennett	Dial	Langford	Smith (J)	
Bishop	Foshee	Little	Teague	—19

*Nays:* —0

**FURTHER CONSIDERATION OF S. B. 12**

The Senate proceeded to further consideration of the Bill, S. B. 12.

**INTRODUCTION OF BILLS**

Upon the call of districts, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Senator Holmes:

S. 162. To amend Act 84-407 so as to extend the time the state has, before interest penalties imposed, to pay contract and invoice obligations, and to extend the effective date of said Act until October 1, 1985.

Committee on Small Business.

By Senator Bedsole:

S. 163. To suspend the prohibition against the use by liquid petroleum gas permit holders of plastic pipes in nurseries for a period of one year.

Committee on Commerce, Transportation,  
and Utilities.

By Senator Hilliard:

S. 164. To amend Section 12-21-73, Code of Alabama 1975, which relates to documents which may be offered in evidence and proved in courts, so as to provide that circuit courts shall take judicial notice of all municipal ordinances in its judicial circuit.

Committee on Judiciary.

By Senator Goodwin:

S. 165. To amend Section 27-29-3, of the Code of Alabama 1975, which relates to the acquisition of control of, or merger with, domestic insurance companies in this state, so as to prevent the acquisition of control without the Insurance Commissioner's approval of an Alabama domiciled insurer through the purchase of said insurer's authorized but unissued voting stock.

Committee on Banking and Insurance.

**RESOLUTION**

Senator Dial offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. COMMENDING EMERGENCY MEDICAL TECHNICIAN JIMMY LANGLEY OF CLEBURNE COUNTY, ALABAMA.

WHEREAS, in its desire to recognize outstanding Alabamians, the Legislature of Alabama, notes with highest commendation the life-saving actions of Medical Technician Jimmy Langley of Cleburne County, Alabama; and

WHEREAS, a medical emergency occurred when Mrs. Susan Ogle of the Five Points Community gave birth at her home to a son, the infant arriving earlier than anticipated and in insufficient time to allow Mrs. Ogle to be transported to the hospital; the birth also occurred in the wake of a tornado which had left the community without power; and

WHEREAS, Mr. Langley, an emergency medical technician (EMT) with the Hollis Volunteer Fire Department, arrived at Mrs. Ogle's home only to find the newly born infant in distress, the umbilical cord wrapped around his neck, and dying from strangulation; and

WHEREAS, in quick response, however, to this crisis situation, EMT Jimmy Langley, aided by the light of a flashlight, disentangled the cord and then induced breathing by means of artificial resuscitation; both mother and child were then hospitalized and later released, the child having suffered no ill effects; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend volunteer Jimmy Langley of Cleburne County, Alabama, for extraordinary performance, and direct that he receive a copy of this resolution in small token of this body's deep admiration and regard.

On motion of Senator Dial, the Rules were suspended and the Resolution was adopted by the Senate.

#### FURTHER CONSIDERATION OF S. B. 12

The Senate proceeded to further consideration of the Bill, S. B. 12.

Senator Bedsole moved that further consideration of the Bill, S. B. 12, be postponed until the Sixth Legislative Day.

On motion of Senator Hilliard, the motion to postpone was laid on the table.

Yeas 15; Nays 4.

Yeas:

Senators:	deGraffenried	Holmes	Mitchem	
Bennett	Denton	Langford	Sanders	
Bishop	Foshee	Little	Smith (J)	
Covington	Hilliard	Menton	Teague	—15

Nays:

Senators:	Cabaniss	Corbett	Hand	
Bedsole				—4

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 31. HONORING THE FINLEY-HOLLOWAY FAMILY ON ITS FORTHCOMING FAMILY REUNION.

Also:

S. J. R. 32. MOURNING THE DEATH OF THERA HOLLAND RICHTER.

Also:

S. J. R. 35. DESIGNATING ACT NO. 84-447 AS THE ELLEN MARSHALL BENNETT ACT.

JOHN W. PEMBERTON,  
Clerk.

#### FURTHER CONSIDERATION OF S. B. 12

The Senate proceeded to further consideration of the Bill, S. B. 12.

And said Bill, S. B. 12, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 2.

Yeas:

Senators:	Denton	Hilliard	Mitchem	
Bennett	Dial	Holmes	Parsons	
Cooley	Foshee	Langford	Sanders	
Covington	Goodwin	Little	Smith (J)	
deGraffenried	Hand	Menton	Teague	—19

Nays:

Senators:	Bedsole	Corbett	—2
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**RECESS**

At 2:40 P.M., on motion of Senator Mitchem, the Senate took a recess subject to the call of the Chair.

At 3:45 P.M., the Senate was called to order by Lieutenant Governor Baxley. A quorum of the Senate was present.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bills with the original Senate Bills, respectively, and finds same correctly engrossed, to-wit:

S. 55. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill Furnace and Foundry Commission, so that such employees would be covered by workmen's compensation.

Also:

S. 137. To amend Sections 17-10-3 and 17-10-5, Code of Alabama, 1975, relating to application to vote by absentee ballots and the ballot therefore, so as to permit certain eligible qualified electors of Alabama to apply for and to vote a "write-in" absentee ballot in certain primary elections and at the same time the runoff and general elections; to provide that this act does not apply to municipal elections; and to provide an effective date.

CHARLES BISHOP,  
Chairperson.

**RESOLUTION**

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 50. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, that when the two houses adjourn today, Thursday, May 31, they adjourn to meet again on Friday, June 1, and when they adjourn on Friday, June 1, they adjourn to meet again on Monday, June 4, and when they adjourn on Monday, June 4, they adjourn to meet again on Tuesday, June 5.

Which was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Moore:

H. 21. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 21. To the Committee on Finance and Taxation.

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 150. To amend Sections 11-54-170 and 11-54-171, Code of Alabama 1975, which authorize and make provisions for the incorporation in any Class 1, Class 2 or Class 3 municipality, of Commercial Development Authorities for the purpose of promoting trade and commerce, so as also to provide for the incorporation of such authorities in any Class 7 or Class 8 municipality.

CHARLES BISHOP,  
Chairperson.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

- S. J. R. 4
- S. J. R. 5
- S. J. R. 6
- S. J. R. 8
- S. J. R. 9
- S. J. R. 10
- S. J. R. 19
- S. J. R. 20

JOURNAL OF THE SENATE, 1984  
5th Day

Delivered to the Governor, May 31, 1984, at 3:25 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 3:50 P.M., on motion of Senator Teague, the Senate adjourned until Monday, June 4, 1984, at 4 o'clock P.M.



**SIXTH LEGISLATIVE DAY  
MONDAY, JUNE 4, 1984**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Mr. Buddy Reeves, Minister of College and Singles Department, First Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Phillip Corley, Vestavia Hills High School, Birmingham, Alabama.

**ROLL CALL**

Present:

Senators:	Cooley	Figures	Menton
Aldridge	Corbett	Foshee	Mitchem
Amari	Covington	Goodwin	Parsons
Bedford	Denton	Hand	Pearson
Bedsole	Dial	Hilliard	Sanders
Bennett	Dixon	Holmes	Smith (J)
Bishop	Drinkard	Langford	Strong
Cabaniss	Ellis	Little	Teague

—31

**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Fifth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senators Bailey, Barron, deGraffenried, and Smith (B) for today.

**REPORT OF COMMITTEES**

Senator Mitchem, Chairperson of the Standing Committee on Finance

and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Senator Foshee:

S. 88. To provide further for the Alabama Emergency Management Act, Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 20, 21, 22 and 24 of Chapter 9, Title 31, Code of Alabama 1975, so as to include certain other causes of emergencies other than those resulting from hostile military action, to encourage counties and other political subdivisions to assist in emergency management programs and to authorize state grants thereto for such programs, to provide for the appointment of directors for local organizations which aid in emergency management; to authorize political subdivisions to evacuate civilians during emergencies, to provide further for penalties for violations of said Chapter 9; and to provide continuing annual appropriations for certain emergency management programs at the governor's discretion.

Senator Pearson, Chairperson of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Bennett (With Notice and Proof):

S. 147. To further amend Sections 18 and 20 of an act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended, relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from all qualified candidates unless the appointing authority shall request the three ranking eligibles only.

By Senator Amari (With Notice and Proof):

S. 159. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of Catherine E. Robertson for a pension based upon extraordinary disability and to award such pension if, in the judgment of the Board of Managers, such pension is required, and to provide for the conditions and limitations applying to such pension, and to set an effective date.

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that the following Bill has been placed on the Consent Calendar for today, to-wit:

By Senator Amari:

S. 19. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House

Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 36. HONORING BISHOP PHILIP ROBERT COUSIN, SR. PRESIDENT, NATIONAL COUNCIL OF CHURCHES IN THE U. S. A. AND PRESIDING BISHOP OF NINTH EPISCOPAL DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH IN THE STATE OF ALABAMA.

Also:

H. J. R. 35. COMMENDING THE GRADUATES, CLASS OF '64, OF WENONAH HIGH SCHOOL, BIRMINGHAM, ALABAMA.

Also:

H. J. R. 28. MOURNING THE DEATH OF MR. HUGH ASHBY BENTLEY OF PHENIX CITY, ALABAMA.

Also:

H. J. R. 27. CONGRATULATING WALKER REGIONAL MEDICAL CENTER, INC. ON BECOMING ACCREDITED.

Also:

H. J. R. 26. CONGRATULATING MR. AND MRS. ROGER DUTTON ON THE BIRTH OF A DAUGHTER, KATIE SCARLETT.

Also:

H. J. R. 24. COMMENDING MABLE AND HASKELL SUMRALL, HUNTSVILLE, ALABAMA, ON THE OCCASION OF THEIR 55TH WEDDING ANNIVERSARY.

Also:

H. J. R. 23. COMMENDING MR. SYLVESTER STEWARD OF "SLY AND THE FAMILY STONE."

Also:

H. J. R. 22. CONGRATULATING THE FAIRHOPE PIRATES FOR WINNING THE CLASS 4-A STATE BASEBALL CHAMPTIONSHIP.

Also:

H. J. R. 19. COMMENDING VINCENT HIGH SCHOOL BASEBALL TEAM.

Also:

H. J. R. 10. COMMENDING MR. HERBERT CLAYTON BATT OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL AND COMMUNITY SERVICE.

Also:

H. J. R. 12. COMMENDING BOBBY KELLER OF MADISON, ALABAMA, STATE ESSAY CONTEST AWARD WINNER.

Also:

H. J. R. 11. COMMENDING MR. WILLIAM F. DAVOREN FOR

## OUTSTANDING PROFESSIONAL ACCOMPLISHMENT AND SERVICE TO THE HUNTSVILLE COMMUNITY.

Also:

H. J. R. 9. COMMENDING MR. BOBBY C. BOLT OF DELTA, ALABAMA, STATE FFA'S FUTURE FARMER OF THE YEAR, 1984.

Also:

H. J. R. 8. CONGRATULATING MR. AND MRS. JESSE ORBON DAFFRON ON THE OCCASION OF THEIR GOLDEN WEDDING ANNIVERSARY.

Also:

H. J. R. 7. COMMENDING "THE BAMA RAMBLERS" FROM PELL CITY, ALABAMA.

Also:

H. J. R. 41. EXPRESSING LEGISLATIVE INTENT REGARDING H. B. 860 AS ENACTED.

On motion of Senator Denton, the Resolutions were then concurred in and adopted by the Senate.

## BILLS ON THIRD READING

Senator Teague requested and received permission to suspend the Rules in order to bring up the Bill:

S. 124. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401(k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403(b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of law relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

And said Bill, S. B. 124, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Denton	Foshee	Menton
Bedsole	Dial	Goodwin	Sanders
Bennett	Dixon	Hand	Strong
Cabaniss	Ellis	Langford	Teague
Corbett	Figures	Little	

—18

Nays:

—0

**REPORT OF  
COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following Enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 31. HONORING THE FINLEY-HOLLOWAY FAMILY ON ITS FORTHCOMING FAMILY REUNION.

Also:

S. J. R. 32. MOURNING THE DEATH OF THERA HOLLAND RICHTER.

Also:

S. J. R. 35. DESIGNATING ACT NO. 84-447 AS THE ELLEN MARSHALL BENNETT ACT.

CHARLES BISHOP,  
Chairperson.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

**REPORT FROM RULES**

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution, and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 5. COMMENDING COMMISSION PRESIDENT DAN WILEY.

On motion of Senator Aldridge, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 17. COMMENDING DR. SAM J. CITRANO, PROMINENT HUNTSVILLE, ALABAMA, DENTIST AND CIVIC LEADER.

Also:

S. R. 18. COMMENDING MR. JOHN HAROLD SHIELDS, II, FOR OUTSTANDING COMMUNITY SERVICE.

Also:

S. R. 16. COMMENDING DR. THOMAS McKAY GRIGGS ON HIS OUTSTANDING MEDICAL CONTRIBUTIONS AND SKILLS.

On motion of Senator Aldridge, the Resolutions were then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**S. J. R. 43. URGING ADEM TO CONSIDER POTENTIAL HAZARDS OF RESUMING DEEP WELL INJECTIONS.**

On motion of Senator Aldridge, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**S. R. 15. COMMENDING DR. LEO DE ROSIER OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL ACHIEVEMENT AND COMMUNITY SERVICE.**

On motion of Senator Aldridge, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

**H. J. R. 33. ACT NO. 84-328, REGULAR SESSION 1984, DESIGNATED "ONDERDONK-FOSHEE ACT".**

On motion of Senator Aldridge, the Resolution was then concurred in and adopted by the Senate.

### **BILLS ON THIRD READING RESUMED**

The Bill:

**S. 19.** To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Senators:	Cooley	Ellis	Menton
Aldridge	Covington	Foshee	Sanders
Amari	Denton	Goodwin	Smith (J)
Bedsole	Dial	Hand	Strong
Bennett	Dixon	Langford	Teague
Cabaniss	Drinkard	Little	

—22

Nays:

—0

The Bill:

S. 112. To amend Section 36-23-1, Code of Alabama 1975, relating to the number of constables for each county, so as to permit any county, by local legislation to abolish such office in that county.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Corbett	Goodwin	Menton	
Bedsole	Denton	Hand	Smith (J)	
Bennett	Dixon	Holmes	Strong	
Cabaniss	Ellis	Langford	Teague	
Cooley	Foshee	Little		—18

Nays: —0

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Athletic Commission.

Respectfully submitted,  
ELVIN STANTON  
Executive Secretary.

Done this 4th day of June, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Athletic Commission for the term expiring 5/24/88:

Mr. Tom R. Barkley  
P. O. Box 99  
Albertville, Alabama 35950

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 4th day of June, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Athletic Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Athletic Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

Done this 4th day of June, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have reappointed, subject to your confirmation, the following as a member of the State Athletic Commission for the term expiring 5/24/88:

Mr. Fred Singleton  
2017 5th Avenue, North  
Birmingham, Alabama 35203

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

Done this 4th day of June, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Athletic Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Athletic Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

Done this 4th day of June, 1984.



To the State of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Athletic Commission for the term expiring 5/24/88:

Mr. James A. Martin, Sr.  
2314 Ellsberry Avenue  
Tuskegee Institute, Alabama 36088

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 4th day of June, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Athletic Commission, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Athletic Commission.

Respectfully submitted,  
ELVIN STANTON  
Executive Secretary.

Done this 4th day of June, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Athletic Commission for the term expiring 5/24/88:

Mr. Fred Davis  
Deep Woods Road  
Selma, Alabama 36701

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

Done this 4th day of June, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Athletic Commission, was read and referred to the Standing Committee on Rules.

**RESOLUTIONS**

Senator Covington offered the following Senate Joint Resolution, to-wit:

**S. J. R. 51. DESIGNATING DALE COUNTY HIGHWAY 60 AS THE "PAYNE-WATSON HIGHWAY."**

WHEREAS, many generations of the Payne and Watson families have resided on Dale County Highway 60; and

WHEREAS, members of the Payne and Watson families have been and are prominent Dale County citizens who have made substantial contributions to their churches and to the community as a whole; and

WHEREAS, it is both appropriate and desirable that these two pioneer Dale County families be recognized for their contributions and accomplishments on behalf of all citizens of Dale County, Alabama; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING**, That we hereby name and designate Dale County Highway 60, the "Payne-Watson Highway."

**BE IT FURTHER RESOLVED**, That by copy of this resolution, the Dale County Commission shall be notified of this official highway designation and shall further be authorized to erect and maintain, at the beginning and end of Highway 60, appropriate signs and markers distinguishing same as the "Payne-Watson Highway."

On motion of Senator Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 52. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE RISING COST OF HEALTH CARE.**

WHEREAS, health care costs now exceed ten percent (10%) of the Gross National Product; and

WHEREAS, the fastest rising cost of doing business in America today is associated with health care costs; and

WHEREAS, health care costs for public employees now exceed the cost of retirement; and

WHEREAS, it is projected that health care costs will have a major impact on the State budget; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING**, That there is hereby created an interim committee to study the functions, duties, responsibilities and relationships of health regulatory boards of the State of Alabama, the growing indigent care responsibility placed upon providers of health care, the effect of third party reimbursement including the effect of Diagnostic Related Groups, cost shifting and indigent care, the competition in the health care delivery system, and the impact that this competition has on the health care delivery system, to analyze state laws to see if there is a need to modify state laws to accom-

modate Health Maintenance Organizations or Preferred Provider Organizations or other forms of health care organizations in order to promote cost efficiency and other pertinent health policy considerations.

BE IT FURTHER RESOLVED, That the committee be composed of the chairmen of the standing committees on Health, Finance and Taxation, and Ways and Means, and five members to be appointed by the Lieutenant Governor, three of which are to be selected from the Insurance Committee, the Judiciary Committee, and the Aging Committee, and five members to be appointed by the Speaker of the House, three of which are to be selected from the Insurance Committee, the Judiciary Committee, and the Public Welfare Committee.

BE IT FURTHER RESOLVED, That upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary. Each member of the Committee shall be entitled to his or her regular legislative compensation, per diem and travel expenses for each day he or she attends a meeting of the Committee which shall be paid out of any funds appropriated to the use of the Legislature, not to exceed \$35,000.

BE IT FURTHER RESOLVED, That the Committee shall report its findings by the fifth legislative day of the 1985 and 1986 Regular Sessions of the Legislature.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 108. To exempt The King's Ranch in Shelby County, Alabama, from the payment of all state, county and municipal sales and use taxes.  
was taken up.

On motion of Senator Foshee, further consideration of the Bill, S. B. 108, was postponed subject to the call of the Chair.

### RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 53. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the sixth legislative day of the 1984 First Special Session only:

Inst Id	Page
S. 97 Alabama Highway Authority, bond issue auth. for construction of pub. rds.	18

On motion of Senator Bishop, the Resolution was adopted by the Senate.

Senator Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE RISING COST OF HEALTH CARE.

WHEREAS, health care costs now exceed ten percent (10%) of the Gross National Product; and

WHEREAS, the fastest rising cost of doing business in America today is associated with health care costs; and

WHEREAS, health care costs for public employees now exceed the cost of retirement; and

WHEREAS, it is projected that health care costs will have a major impact on the State budget; now therefore,

BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an interim committee to study the functions, duties, responsibilities and relationships of health regulatory boards of the State of Alabama, the growing indigent care responsibility placed upon providers of health care, the effect of third party reimbursement including the effect of Diagnostic Related Groups, cost shifting and indigent care, the competition in the health care delivery system, and the impact that this competition has on the health care delivery system, to analyze state laws to see if there is a need to modify state laws to accommodate Health Maintenance Organizations or Preferred Provider Organizations or other forms of health care organizations in order to promote cost efficiency and other pertinent health policy considerations.

BE IT FURTHER RESOLVED, That the committee be composed of the chairmen of the standing committees of Health, Finance and Taxation, and Ways and Means, and five members to be appointed by the Lieutenant Governor, three of which are to be selected from the Insurance Committee, the Judiciary Committee, and the Aging Committee, and five members to be appointed by the Speaker of the House, three of which are to be selected from the Insurance Committee, the Judiciary Committee, and the Public Welfare Committee.

BE IT FURTHER RESOLVED, That upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary. Each member of the Committee shall be entitled to his or her regular legislative compensation, per diem and travel expenses for each day he or she attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature, not to exceed \$35,000.

BE IT FURTHER RESOLVED, That the Committee shall report its findings by the fifth legislative day of the 1985 and 1986 Regular Sessions of the Legislature.

On motion of Senator Teague, the Rules were suspended and the Resolution was adopted by the Senate.

### **SPECIAL ORDER**

#### **BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, which was the Bill:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the

said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Rep. Harper (With Notice and Proof):

H. B. 108. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after May 7, 1984.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 108, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 108. To the Committee on Local Legislation No. 3.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Buskey (James) (With Notice and Proof):

H. 172. Relating to the City of Mobile; amending Section 22 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to allow any member of the system to withdraw from participation at any time.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 172, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Turner (With Notice and Proof):

H. 44. Relating to Mobile County; providing for the salary of the License Commissioner of Mobile County.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 44, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Zoghby, Clark (W), Kvalheim, and Gaston (With Notice and Proof):

H. 61. Prescribing certain procedures to be implemented by the Mobile County board of registrars when reidentifying voters or changing their addresses and providing for supplemental effect.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 61, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Zoghby, Clark (W), and Kvalheim (With Notice and Proof):

H. 63. Relating to Mobile County; authorizing the county commission to extend, by resolution, the meeting days of the board of registrars during certain months as merited by certain circumstances and providing that this act shall be retroactive to May 1, 1982.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 63, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

FIRST EXTRAORDINARY SESSION  
6th Day

171

Also:

By Reps. Zoghby, Kvalheim, and Gaston (With Notice and Proof):

H. 65. To amend section 2 of Act No. 181, H. 117, Regular Session 1957, (Acts 1957, p. 233), relating to Mobile County governing body, so as to require that each candidate for county commissioner must have resided within the district for which he qualifies a certain minimum period, and each county commissioner must reside within the respective district he represents during the term of office or forfeit the job.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 65, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Zoghby, Clark (W), and Kvalheim (With Notice and Proof):

H. 66. To amend Section 1 of Act No. 82-374, H. 727, 1982 Regular Session of the Legislature (Acts 1982, p. 549), which act relates to the Mobile County board of registrars, so as to provide further for the meeting dates of such board for voter registration and voter reidentification purposes.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 66, as required in the General Acts of Alabama, 1975 Act. No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Zoghby (With Notice and Proof):

H. 73. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the City of Mobile Reception Room Committee for furnishing the Mobile City Hall reception room, from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1984, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 73, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harper (With Notice and Proof):

H. 93. To amend Section 1 of Act No. 319, H. 593, of the 1976 Regular Session (Acts 1976, p. 353), which provided for a mosquito, rodent and other vector control ad valorem tax in Mobile County, so as to provide further for certain exemptions from such tax.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 93, as required in the General Acts of Alabama, 1975 Act. No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harper (With Notice and Proof):

H. 94. Relating to Mobile County; providing that any political subdivision or agency of such subdivision within the county shall solicit competitive bids when leasing any warehouse, storage, shop, office space or land from or to any individual, association, corporation, partnership or other business entity and prescribing certain bid procedures.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 94, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 172, 44, 61, 63, 65, 66, 73, 93, and 94. To the Committee on Local Legislation No. 3.

### FURTHER CONSIDERATION OF S. B. 97

The Senate proceeded to further consideration of the Bill, S. B. 97.

Senator Cabaniss offered the following amendment to the Bill, S. B. 97, to-wit:

### AMENDMENT TO S. B. 97

Amend S. 97, Section 9, page 13, line 35, after the word and figure "expenses." by inserting the following paragraphs:

In connection with the authorization of the payment of the various expenses (including, without limitation, any discount reflected in original purchase price paid to the authority) related to the sale and issuance of any series of refunding bonds, the board of directors shall cause to be published in newspapers having general circulation in Mobile, Montgomery, Birmingham and Huntsville, a notice specifying purpose, recipient and estimated amount of each issuance expense that is expected to be in excess of \$1,000.

Each such notice shall be published no more than 21 nor less than 7 days prior to the date of issuance and delivery of any series of refunding bonds to which it relates.

The actual amount expended by the authority for each issuance expense identified in such notice may not exceed estimated amount published therefor in such notice by more than 10% of such estimated amount.

In no event, shall the aggregate amount of expenses incurred by the authority in connection with the sale and issuance of any series of refunding bonds (including without limitation, any discount reflected in original purchase price paid to the authority) exceed 2.25% of the original aggregate principal amount of the refunding bonds of such series.



Also, in Section 10, page 18, line 12, after the word and figure "expenses.", amend by inserting the following paragraphs:

In connection with the authorization of the payment of the various expenses (including, without limitation, any discount reflected in original purchase price paid to the authority) related to the sale and issuance of any series of matching bonds, the board of directors shall cause to be published in newspapers having general circulation in Mobile, Montgomery, Birmingham and Huntsville, a notice specifying purpose, recipient and estimated amount of each issuance expense that is expected to be in excess of \$1,000.

Each such notice shall be published no more than 21 nor less than 7 days prior to the date of issuance and delivery of any series of matching bonds to which it relates.

The actual amount expended by the authority for each issuance expense identified in such notice may not exceed estimated amount published therefor in such notice by more than 10% of such estimated amount.

In no event, shall the aggregate amount of expenses incurred by the authority in connection with the sale and issuance of any series of matching bonds (including without limitation, any discount reflected in original purchase price paid to the authority) exceed 2.25% of the original aggregate principal amount of the matching bonds of such series.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Zoghby, Clark (W), Kvalheim, and Gaston (With Notice and Proof):

H. B. 64. Relating to Mobile County, to amend further Section 5 of an Act No. 242, S. B. 79, 1876 of the general assembly approved February 15, 1876 which regulates public schools in the County, as last amended by Act No. 480, S. 485, 1969 Regular Session (Acts 1969, p. 937), which relates to the county board of education.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 64, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

And sends herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 64. To the Committee on Local Legislation No. 3.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Harper (With Notice and Proof):

H. 95. Relating to Mobile County; requiring the county governing body to pay from the county general fund, or any fund designated for roads or bridges, the expense of relocating certain water pipes and lines, owned by rural water or municipal water systems when outside of the municipalities' police jurisdiction, as a result of certain public roads maintenance, construction, bridge repair or replacement; and repealing conflicting laws.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 95, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harper (With Notice and Proof):

H. 96. Relating to Mobile County; exempting all real and personal property owned and used as community centers, ball parks and recreational facilities by nonprofit businesses and corporations from all county ad valorem taxation.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 96, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Marietta (With Notice and Proof):

H. 125. Relating to Mobile County; establishing the Mobile County Highway and Traffic Safety Advisory Board and describing its composition, authority and duties; establishing the Mobile County Department of Highway and Traffic Safety and describing its authority, personnel and duties; and providing for use by said advisory board of a portion of certain monies distributed for law enforcement purposes under the provisions of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et seq.), as amended, providing for a County Racing Commission in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 125, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Clark (W) and Buskey (James) (With Notice and Proof):

H. 107. To further provide for the City of Prichard Water Works and Sewer Board; to amend Act No. 161, S. 171 of the 1957 Regular Session (Acts 1957, p. 210), Sections 1 through 24, which created the Water Works

and Sewer Board of the City of Prichard (hereinafter referred to as the board) and The Water Works and Sewer Board Employees' Pension and Relief Fund; provided for the setting apart of such funds; created a pension and relief system applicable to all permanent employees of such board; provided for appropriation from the board to make up any deficit in Pension and Relief Fund; provided for the placement and handling of such funds and the handling of applications therefor and operation of such system; exempted such funds from being subject to garnishment or levy or sale under execution or otherwise; provided payment for disabled and retired employees of such board; provided for the appropriation for funeral expenses upon the death of any employee of the board; provided for gifts, donations, legacies to such fund and for the appointment of trustees and for the creation of a Board of Pensions for all purposes in connection herewith; provided penalties for the violations of its provisions.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 107, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Box (With Notice and Proof):

H. 134. To alter, rearrange and add to the limits of the City of Satsuma in Mobile County, Alabama, and to describe the area so added to the City of Satsuma.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 134, as required in the General Acts of Alabama 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harper (With Notice and Proof):

H. 155. Relating to Mobile County; authorizing the judge of probate to sell lists of voters to certain candidates and providing for the disposition of funds from said sales.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 155, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Coburn:

H. 42. To amend Section 16-13-190 of the Code of Alabama of 1975.

Also:

By Reps. Cosby, Drake, Holley, Faulk, Carter, Blake, and Fuller:

H. 122. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama of 1975, as amended, to establish an

effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 95, 96, 125, 107, 134, and 155. To the Committee on Local Legislation No. 3.

H. B. 42. To the Committee on Education.

H. B. 122. To the Committee on Buildings and Grounds.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Faulk (With Notice and Proof):

H. 33. Relating to Butler County; to provide for the distribution of certain beer tax proceeds.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 33, as required in the General Acts of Alabama 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. White (L) (With Notice and Proof):

H. 41. Relating to Tallapoosa County; amending Section 2 of Act No. 32, S. 62, Regular Session 1967 (Acts 1967, p. 363), relating to compensation for members of the board of registrars, so as to regulate further said supplement, and to provide for mileage; providing for retroactive effect; and repealing Act No. 80-681, H. 1125, Regular Session 1980 (Acts 1980, p. 1367), Act No. 80-784, S. 606, Regular Session 1980 (Acts 1980, p. 1681), and Act No. 111, H. 86, 2nd Special Session 1978 (Acts 1978, p. 1827), relating to such salary and mileage.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 41, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Turner (With Notice and Proof):

H. 32. Relating to Mobile County; to provide further for the disposition and use of the funds received by Mobile County under the provisions of Title 40, Chapter 20, Article 1, Code of Alabama 1975, as amended, provid-

ing for the levy of a privilege tax on the production of oil and gas; and to specifically repeal Act No. 870, H. 1517, Regular Session 1975 (Acts 1975, p. 1714), providing further for the disposition and use of a certain portion of the funds received by Mobile County from an oil and gas severance tax, and all other laws or parts of laws in conflict herewith.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 32, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 33 and 41. To the Committee on Local Legislation No. 1.

H. B. 32. To the Committee on Local Legislation No. 3.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Butler (With Notice and Proof):

H. 14. Relating to Madison County; amending Act No. 951, H. 2010, 1973 Regular Session, (Acts 1973, p. 1459) which provides for the meeting days of the board of registrars, so as to increase said days.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 14, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Hettinger and Albright (With Notice and Proof):

H. 130. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 130, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Thomas (With Notice and Proof):

H. 128. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; prescribing the duties and setting the salaries for such clerks; and repealing Act No. 119, H. 115, 1978 Second Special Session (Acts 1978, p. 1835), relating to compensation for such clerks.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 128, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harvey (With Notice and Proof):

H. 139. Relating to Blount County; to create a motor vehicle license division within the Revenue Commissioner's office for the issuance of motor vehicle licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses by the Revenue Commissioner's office; to transfer certain duties now performed by the Probate Judge to said Revenue Commissioner, and to provide for the compensation of the Revenue Commissioner.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 139, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Harvey (With Notice and Proof):

H. 142. Relating to Blount County; to require the placing of the name and address of certain parties on legal documents filed for record in the probate office; to relieve the judge of probate from damages or penalty for any error or mistake in the performance of the duties prescribed by this Act.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 142, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 179. Relating to Limestone County; to provide for appointment of a county license commissioner by the county commission in lieu of the county license commission authorized by Act No. 746, H. 757 of the 1978 Regular Session (Acts 1978, p. 1089); to prescribe the duties, compensation and term of such commissioner; to abolish the office of county license inspector and transfer such duties to the newly appointed license commissioner; to provide that such commissioner shall perform certain duties heretofore performed by the tax assessor, tax collector and judge of probate; to prescribe certain fees, charges and commissions to be collected by such commissioner and provide for disposition of the proceeds thereof; to provide for certain reports relating to such collections and to prescribe certain penalties for violations relating to licenses.

I hereby certify that the Notice and Proof is attached to the Bill, H. B. 179, as required in the General Acts of Alabama, 1975 Act. No. 919.

JOHN W. PEMBERTON  
Clerk.

Also:

By Rep. Clark (J) (With Notice and Proof):

H. 196. Relating to selling and redeeming lands for taxes in Barbour County, Alabama.

I hereby certify that the Notice and proof is attached to the Bill, H. B. 196, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

Also:

By Rep. Buskey (James) (With Notice and Proof):

H. 166. To provide for an adjustment in certain benefits paid under the pension and relief system for policemen and firemen of the City of Mobile to retired members of such system who retired after October 1, 1977, and before May 4, 1978.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 166, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 14, 130, 128, 139, 142, 179, and 196. To the Committee on Local Legislation No. 1.

H. B. 166. To the Committee on Local Legislation No. 3.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Hall, Drake, Grouby, Grayson, Albright, Clark (J), Mathis, Hettinger, Hooper, Butler, Rains, Seibels, Carter, Brakefield, Starr, Gaston, Zoghby, Junkins, Burke, McMillan, Blakeney, Lauderdale, Flowers, Trammell, Harper, Moore, Coleman, Horn, Warren, Turner, Campbell, Clark (D), Biddle, Dutton, Newman, Harvey, Perdue, Starkey, Lindsey, Laird, White (F), Holley, Faulk, Goodwin, Pratt, Bowling, Box, Spratt, Escott, Tanner, Preuitt, Kvalheim, Crow, Fuller, Cosby, Bugg, Davis, McDowell, Johnson (Roy), Johnson (R.G.), Onderdonk, Venable, Nicholson, Blake, Rice, Clark (W), Buskey

(James), Carothers, McKee, Black, Penry, Marietta, Rogers, Melton, Martin, Kennedy, Gray, and Hammett:

H. 100. To amend Section 40-9-13 of the Code of Alabama 1975, relating to exemptions from taxation, so as to exempt, among others, the Annual Shrine Circus as well as all other charitable Shrine amusement and fund raising events from all license fees and charges including any privilege and excise tax levied by the state or any county or municipality; and to provide that such charitable Shrine amusement and fund raising events shall be subject to all the provisions of Section 40-9-12 of the Code of Alabama 1975.

Also:

By Rep. Reed:

H. 153. Proposing an amendment to the Constitution of Alabama 1901, providing for the membership, manner of election and terms of the members of the board of education for Macon County, Alabama and providing that this amendment shall be self-executing.

Also:

By Rep. Campbell:

H. 113. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401 (k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403(b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

Also:

By Reps. Trammell and Bachus:

H. 25. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

Also:

By Rep. Holley:

H. 22. This bill amends Section 34-30-22, Code of Alabama 1975, which provides for the qualifications of applicants for licensed social workers, so as to provide further for said qualifications.

Also:

By Reps. Johnson (Roy) and Richardson:

H. 192. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal



Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 100 and 113. To the Committee on Finance and Taxation.

H. B. 153. To the Committee on Local Legislation No. 1.

H. B. 25. To the Committee on Governmental Affairs.

H. B. 22. To the Committee on Consumer Affairs.

H. B. 192. To the Committee on Buildings and Grounds.

(The above numbered Bill, H. B. 153, was read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Harper:

H. J. R. 83. DIRECTING THE PERMANENT ALABAMA OIL AND GAS STUDY COMMITTEE TO PERFORM CERTAIN FUNCTIONS RELATIVE TO THE PROPOSED AUGUST 14, 1984, OFF-SHORE OIL AND GAS LEASE LETTING.

WHEREAS, the Permanent Joint Committee to Study Oil and Gas, known as The Alabama Oil and Gas Study Committee was created pursuant to Act No. 83-761, S. J. R. 256 of the 1983 Regular Session (Acts 1983, p. 1306) and it was charged with the continuing study of the oil and gas industry in our state and fiscal opportunities and liabilities for the state; and

WHEREAS, the department of Conservation and Natural Resources has announced that on August 14, 1984, the State of Alabama will open bids on offshore oil and gas leases on possibly 58 or more tracts; and

WHEREAS, the potential revenue generated for the state from such offshore oil and gas leases is in the millions; and

WHEREAS, recent news accounts have reported that Alabama has lost \$1.5 billion in federal aid since 1981 and ranks 17th nationally in losses per capita; Alabama ranks third in cuts for child nutrition and fifth in job training cut-backs despite the state's high unemployment experience; and

WHEREAS, the public has a deep and abiding interest in the financially sound and honest expenditure of this vast sum of public money; and

WHEREAS, the Alabama Legislature has an overriding responsibility

to the citizens of this state to oversee the administration and expenditure of all public funds in the wisest manner possible; and

WHEREAS, the needs of state government and revenue priorities have drastically changed since 1981; and

WHEREAS, the state general fund, without long-term income planning, will cause chaotic consequences for all operations of government; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby direct the permanent Alabama Oil and Gas Study Committee to study any and all facets of the best utilization and investment of the said offshore oil and gas revenues from the leases, proposed to be let on August 14, 1984, and the immediate and long-term impact of the various alternatives based on present and projected needs of state government and the condition of the various state funds and to report its findings and conclusions to the members of the Alabama Legislature not later than August 1, 1984.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent forthwith to each member of the permanent Alabama Oil and Gas Study Committee.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 83, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 79. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That when we adjourn today, Thursday, May 31, 1984, we adjourn to meet again on Monday, June 4th, 1984.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 79, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Albright, Grayson, and Hall:

H. J. R. 69. COMMENDING THE LEE HIGH "OUR BOYS QUARTET," HUNTSVILLE, ALABAMA.

Also:

By Rep. Kvalheim:

H. J. R. 72. WELCOMING TO ALABAMA, IN COMMENDATION, MR. GERALD M. CZARNECKI.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R's 69 and 72, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Payne:

H. J. R. 76. COMMENDING PINSON VALLEY HIGH SCHOOL, STATE WRESTLING CHAMPIONS FOR 1983-1984.

Also:

By Reps. Payne and Seibels:

H. J. R. 77. COMMENDING KEITH D. BLAYNEY, Ph.D., DEAN OF THE SCHOOL OF COMMUNITY AND ALLIED HEALTH AT THE UNIVERSITY OF ALABAMA IN BIRMINGHAM.

Also:

By Rep. Payne:

H. J. R. 78. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL BASEBALL TEAM, 1984 JEFFERSON COUNTY BASEBALL CHAMPIONS.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 76, 77, and 78, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Beers:

H. J. R. 62. COMMENDING DR. J. MAURICE PERSALL, VESTAVIA HILLS, ON BEING SELECTED AS PTA SUPERINTENDENT OF THE YEAR 1983-1984.

Also:

By Rep. Beers:

H. J. R. 63. COMMENDING MISS GINGER MARIE HILL OF VESTAVIA HILLS, MISS ALABAMA NATIONAL TEEN-AGER FOR 1984.

Also:

By Reps. Beers and Bachus:

H. J. R. 64. COMMENDING COLIN LUKE OF JEFFERSON COUNTY.

Also:

By Reps. Albright, Grayson, and Hall:

H. J. R. 68. COMMENDING THE LEE HIGH CONFEDER-ETTES, HUNTSVILLE, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 62, 63, 64, and 68, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Martin:

H. J. R. 61. To create and establish a Joint Interim Committee on Municipal Government of the Legislature of Alabama.

WHEREAS under the provisions of Act No. 82-379 an Interim Committee on Municipal Government of the Legislature of Alabama was organized with eight (8) members of the Legislature, four (4) from the House appointed by the Speaker and four (4) from the Senate appointed by the Lieutenant Governor, and the Committee has submitted its report to the Legislature.

The Committee made numerous recommendations with respect to the organization, function, administration, financial framework, election procedures, forms of government procedures, and the impact of growth and urbanization on Alabama cities and towns and,

WHEREAS, the current Legislature has adopted several bills studied by the Committee and will no doubt adopt several additional pieces of legislation which the Interim Committee recommended and there is a need to continue and complete the study begun by the said Interim Committee inasmuch as many areas, which the Committee studied, require further study in depth and require positive recommendations to the Legislature from the Committee, and

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE, THE

SENATE OF ALABAMA CONCURRING, that in order to further suggest to the State Legislators additional sound, workable, financially feasible and economically possible methods of administration for Alabama's municipal governments, there is hereby organized an Interim Committee on Municipal Government of the Legislature of Alabama, to be composed of eight (8) members of the Legislature, four (4) members from the House to be appointed by the Speaker of the House, and four (4) members from the Senate to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to analyze the present status of municipal government in Alabama and to make recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the municipal governments of this State to more adequately meet and furnish the services and requirements of their citizens.

In reviewing the status and the laws of municipal governments in Alabama, the Committee shall consider and make studies of, but shall not limit its consideration, to the following items:

1. An assessment and study of the impact of reduced federal funds and the problems to municipalities created thereby; the study to suggest methods whereby municipalities may continue furnishing services notwithstanding the reduction of federal assistance; the study also to include a review of the block grant delivery system of federal assistance.

2. An assessment and analysis of the progress being made in Congress on anti-trust legislation designed to overcome the adverse decision of the U. S. Supreme Court in *Community Communications Company, Inc. v. City of Boulder, Colorado*.

3. A study and assessment of the problems faced by municipalities because of the mounting problems connected with sanitary sewage (waste water) disposal and a suggested avenue of meeting the tremendous expenses connected with such disposal; and a suggested funding mechanism to cover the cost of disposal.

4. A study of hazardous waste disposal and suggested solutions of the problems created by hazardous wastes.

5. A study of the infrastructure needs of Alabama towns and cities with particular emphasis on the study of road and street systems and their maintenance and repair.

6. A review with recommendations, as to how municipalities can best improve the delivery of services of all types to their citizens.

BE IT FURTHER RESOLVED, that the Committee shall not consume more than forty-five (45) working days in performing its functions and that its report be finished in time for presentation of a preliminary report during the first week of the 1985 Regular Session of the Alabama Legislature and a final report to be submitted during the 1985 Regular Session of the Alabama Legislature and that as far as practical that all meetings of the Committee shall be held in the State Capitol and be opened to the public. The Secretary of the Senate or Clerk of the House is hereby required to provide one (1) clerk, who shall be a competent stenographer, and the Committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the Committee shall deem necessary. The Committee is hereby empowered to expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports and in general expenses incident to the work of the Committee. Each member of the Committee shall be entitled to his regular legislative compensation, his per diem and travel ex-

penses for each day he attends the meeting of the Committee which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the Committee's Chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The Chairman of the Committee shall certify the sums due to the clerk or other employees of the Committee. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of Nine Thousand Five Hundred (\$9,500.00) Dollars. The Lieutenant Governor and the Speaker of the House shall jointly designate one of the members of the Committee as Chairman and one member to be Vice-Chairman. The Lieutenant Governor and the Speaker of the House shall be ex-officio members of the Committee and shall receive compensation at the rate paid out members for each day that they sit with the Committee in its work on the subjects and problems listed in this Resolution, or in handling any other matters agreed upon by the Committee in line with the general purpose of the Committee.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 61, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### FURTHER CONSIDERATION OF S. B. 97

The Senate proceeded to further consideration of the Bill, S. B. 97. The question was on the amendment offered by Senator Cabaniss.

On motion of Senator Goodwin, said amendment was laid on the table.

Yeas 16; Nays 7.

*Yeas:*

Senators:	Corbett	Goodwin	Pearson
Aldridge	Covington	Langford	Smith (J)
Amari	Denton	Menton	Strong
Bennett	Foshee	Mitchem	Teague
Bishop			

—16

*Nays:*

Senators:	Cabaniss	Dixon	Hand
Bedsole	Dial	Ellis	Little

—7

Senator Dixon offered the following amendment to the Bill, S. B. 97, to-wit:

### AMENDMENT TO S. B. 97

Amend S. 97, Section 9, page 13, line 35, after the word and figure "expenses." by inserting the following paragraphs:

In connection with the authorization of the payment of the various expenses (including, without limitation, any discount reflected in original purchase price paid to the authority) related to the sale and issuance of any series of refunding bonds, the board of directors shall cause to be provided to newspapers having general circulation in Alabama, a notice specifying purpose, recipient and estimated amount of each issuance expense that is expected to be in excess of \$1,000.

Each such notice shall be provided no more than 21 nor less than 7 days prior to the date of issuance and delivery of any series of refunding bonds to which it relates.

The actual amount expended by the authority for each issuance expense identified in such notice may not exceed estimated amount published therefor in such notice by more than 10% of such estimated amount.

In no event, shall the aggregate amount of expenses incurred by the authority in connection with the sale and issuance of any series of refunding bonds (including without limitation, any discount reflected in original purchase price paid to the authority) exceed 1.85% of the original aggregate principal amount of the refunding bonds of such series.

Also, in Section 10, page 18, line 12, after the word and figure "expenses.", amend by inserting the following paragraphs:

In connection with the authorization of the payment of the various expenses (including, without limitation, any discount reflected in original purchase price paid to the authority) related to the sale and issuance of any series of matching bonds, the board of directors shall cause to be provided to newspapers having general circulation in Alabama, a notice specifying purpose, recipient and estimated amount of each issuance expense that is expected to be in excess of \$1,000.

Each such notice shall be provided no more than 21 nor less than 7 days prior to the date of issuance and delivery of any series of matching bonds to which it relates.

The actual amount expended by the authority for each issuance expense identified in such notice may not exceed estimated amount published therefor in such notice by more than 10% of such estimated amount.

In no event, shall the aggregate amount of expenses incurred by the authority in connection with the sale and issuance of any series of matching bonds (including without limitation, any discount reflected in original purchase price paid to the authority) exceed 1.85% of the original aggregate principal amount of the matching bonds of such series.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hooper, Butler, Gaston, McMillan, Kvalheim, White (G), Holmes, Seibels, Starr, Gray, McDowell, Burke, Cosby, Blake, Blakeney, McKee, Buskey (John), Rogers, Beers, Adams, Albright, Bachus, Biddle, Black, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McNair, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey,

Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby:

H. J. R. 59. CONGRATULATING MR. AND MRS. MIKE MIKELL ON THE BIRTH OF A DAUGHTER, KIMBERLY DELAINE.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 59, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. White (F), Johnson (Roy), and Holley:

H. J. R. 53. DIRECTING THAT THE STATUE OF GOVERNOR LURLEEN WALLACE BE RETURNED TO THE ROTUNDA FOLLOWING CAPITOL RENOVATION.

WHEREAS, the late Lurleen Burns Wallace served as Governor of the State of Alabama from January 1967 until her untimely death on May 7, 1968; and

WHEREAS, shortly after the death of this beloved lady, the first and only woman ever to be elected Governor of the State of Alabama, a statue was erected in the Capitol Rotunda and dedicated as a memorial to her life and her service to the citizens of Alabama; and

WHEREAS, during the forthcoming renovation of the Capitol interior, it will of course be necessary to remove the marble likeness of Governor Lurleen Wallace from its central spot in the Rotunda; and

WHEREAS, it is the specific desire of this body, however, that upon completion of the interior restoration of the Capitol, the statue of Governor Lurleen Wallace be returned to its present location; and

WHEREAS, further, not only is it desirable that this statue be returned to its site of dedication, but that it also be replaced for the historical significance of Governor Lurleen Wallace's gubernatorial tenure and for the maximum protection of the statue's white marble composition; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does hereby direct that immediately upon completion of the renovation of the Capitol interior, the white marble statue of our late, beloved Governor, Lurleen B. Wallace, shall be replaced in its present central location in the Capitol Rotunda.

BE IT FURTHER RESOLVED, That by copy of this resolution, the Clerk of the House shall forthwith notify the proper authorities of this directive of the Alabama Legislature.

JOHN W. PEMBERTON,  
Clerk.



**HOUSE MESSAGE**

The Resolution, H. J. R. 53, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Smith:

H. J. R. 46. HONORING THE LATE JOSEPH ELLY DANIEL FOR OUTSTANDING CONTRIBUTIONS TO THE SCHOOLS AND STUDENTS OF CHILTON COUNTY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 46, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Pratt:

H. J. R. 52. CONGRATULATING MR. AND MRS. PAT BUNN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

By Rep. Onderdonk:

H. J. R. 54. COMMENDING MR. THOMAS E. FULLER FOR OUTSTANDING ACCOMPLISHMENT.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 52 and 54, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**FURTHER CONSIDERATION OF S. B. 97**

The Senate proceeded to further consideration of the Bill, S. B. 97. The question was on the amendment offered by Senator Dixon.

On motion of Senator Goodwin, said amendment was laid on the table.

Yeas 13; Nays 5.

Yeas:

Senators:	Bishop	Foshee	Langford	
Aldridge	Corbett	Goodwin	Menton	
Amari	Covington	Hand	Teague	
Bedford	Denton			—13

Nays:

Senators:	Cabaniss	Ellis	Holmes	
Bedsole	Dixon			—5

And said Bill, S. B. 97, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1

Yeas:

Senators:	Covington	Goodwin	Mitchem	
Aldridge	Denton	Hand	Parsons	
Amari	Dial	Hilliard	Pearson	
Bedford	Dixon	Holmes	Sanders	
Bedsole	Ellis	Langford	Smith (J)	
Bennett	Figures	Little	Strong	
Bishop	Foshee	Menton	Teague	
Corbett				—28

Nay: Senator Cabaniss

—1

**RESOLUTION**

Senator Mitchem offered the following Senate Resolution, to-wit:

S. R. 55. WELCOMING TO ALABAMA, IN HIGHEST COMMENDATION, DOCTOR J. PETER GOMES.

Which was adopted.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama A & M University Board of Trustees.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Alabama A & M University Board of Trustees for the term expiring 1/31/88:

Mr. Wayne A. Dean  
2164 Dauphin Street  
Mobile, Alabama 36606

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama A & M University Board of Trustees, was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

Senator Foshee requested and received permission to suspend the Rules in order to bring up the Bill:

S. 161. To provide further for tax exemptions, to exempt the World Championship Domino Tournament of Andalusia, sponsored by the Andalusia Rotary Club, and the World Championship Rattlesnake Rodeo, Opp, Alabama, and sponsored by the Opp Jaycees, from the payment of all state, county and municipal sales and use taxes.

And said Bill, S. B. 161, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Dial	Goodwin	Mitchem
Aldridge	Dixon	Hand	Sanders
Bedsole	Drinkard	Holmes	Smith (J)
Bishop	Ellis	Little	Strong
Corbett	Foshee	Menton	Teague
Covington			

—20

Nays: —0

### FURTHER CONSIDERATION OF S. B. 108

The Senate proceeded to further consideration of the Bill, S. B. 108.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 5. COMMENDING COMMISSION PRESIDENT DAN WILEY.

Also:

H. J. R. 7. COMMENDING "THE BAMA RAMBLERS" FROM PELL CITY, ALABAMA.

Also:

H. J. R. 8. CONGRATULATING MR. AND MRS. JESSE ORBON DAFFRON ON THE OCCASION OF THEIR GOLDEN WEDDING ANNIVERSARY.

Also:

H. J. R. 9. COMMENDING MR. BOBBY C. BOLT OF DELTA, ALABAMA, STATE FFA'S FUTURE FARMER OF THE YEAR, 1984.

Also:

H. J. R. 10. COMMENDING MR. HERBERT CLAYTON BATT OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL AND COMMUNITY SERVICE.

Also:

H. J. R. 11. COMMENDING MR. WILLIAM F. DAVOREN FOR OUTSTANDING PROFESSIONAL ACCOMPLISHMENT AND SERVICE TO THE HUNTSVILLE COMMUNITY.

Also:

H. J. R. 12. COMMENDING BOBBY KELLER OF MADISON, ALABAMA, STATE ESSAY CONTEST AWARD WINNER.

Also:

H. J. R. 19. COMMENDING VINCENT HIGH SCHOOL BASEBALL TEAM.

Also:

H. J. R. 22. CONGRATULATING THE FAIRHOPE PIRATES FOR WINNING THE CLASS 4-A STATE BASEBALL CHAMPIONSHIP.

Also:

H. J. R. 23. COMMENDING MR. SYLVESTER STEWART OF "SLY AND THE FAMILY STONE."

Also:

H. J. R. 24. COMMENDING MABLE AND HASKELL SUMRALL, HUNTSVILLE, ALABAMA, ON THE OCCASION OF THEIR 55TH WEDDING ANNIVERSARY.

Also:

H. J. R. 26. CONGRATULATING MR. AND MRS. ROGER DUTTON ON THE BIRTH OF A DAUGHTER, KATIE SCARLETT.

Also:

H. J. R. 27. CONGRATULATING WALKER REGIONAL MEDICAL CENTER, INC. ON BECOMING ACCREDITED.

Also:

H. J. R. 28. MOURNING THE DEATH OF MR. HUGH ASHBY BENTLEY OF PHENIX CITY, ALABAMA.

Also:

H. J. R. 33. RELATIVE TO NAMING ACT NO. 84-328, H. 215, 1984 REGULAR SESSION.

Also:

H. J. R. 36. HONORING BISHOP PHILIP ROBERT COUSIN, SR.

PRESIDENT, NATIONAL COUNCIL OF CHURCHES IN THE U.S.A.  
AND PRESIDING BISHOP OF THE NINTH EPISCOPAL DISTRICT  
OF THE AFRICAN METHODIST EPISCOPAL CHURCH IN THE  
STATE OF ALABAMA.

Also:

H. J. R. 41. EXPRESSING LEGISLATIVE INTENT REGARD-  
ING H. B. 860 AS ENACTED.

Also:

H. J. R. 35. COMMENDING THE GRADUATES, CLASS OF '64,  
OF WENONAH HIGH SCHOOL, BIRMINGHAM, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Campbell:

H. 208. To amend Section 3 of Act 83-925, S. 11, 1983 Fourth Special Session (Acts of Alabama 3rd and 4th Special Sessions 1983, p. 207) which authorizes a bond issuance by the state industrial development authority and to provide certain additional powers and duties of the authority, so as to authorize the authority to make certain grants of money to economic development councils.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 208. To the Committee on Small Business.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 25. Relating to Baldwin County; further providing for the medically indigent citizens of Baldwin County; fixing a definition of medically indigent persons; establishing the Baldwin County Indigent Care Board and describing its authority, composition and duties; and providing for use by

the board of certain taxes or other funds received by the board under the provisions of an approved revenue source within Baldwin County.

Also:

S. 26. Relating to Baldwin County; providing for and requiring purging and reidentification of the registered voters; imposing duties upon the Board of Registrars, the Judge of Probate and upon the electors whose names appear on the listing of qualified electors of the county; providing for criminal penalties for violations; and prescribing an effective date.

Also:

S. 27. Relating to the twenty-eighth judicial circuit in Baldwin County; to provide an expense and automobile allowance to the district attorney of said judicial circuit.

Also:

S. 28. Providing for the distribution of Baldwin County's share of offshore oil and gas severance tax proceeds provided for said county in Section 40-20-8(a) of the Code of Alabama 1975 as amended by Act No. 83-889, H. 26 of the 1983 Fourth Special Session of the Legislature.

Also:

S. 95. To provide for redivision of the county commissioner's districts in Cleburne County, Alabama; to provide for an advisory referendum on the question of the provisions of this act.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hall and Richardson:

H. J. R. 99. LEGISLATIVE INTENT RELATIVE TO ACT NOS. 84-441 AND 84-429, REGULAR SESSION 1984, RELATING TO JACKSON COUNTY ECONOMIC DEVELOPMENT BOARD.

WHEREAS, the Alabama Legislature enacted House Bills 789 and 790 which became Act Nos. 84-441 and 84-429, Regular Session 1984, respectively, which acts created and funded the Jackson County Economic Development Board; and

WHEREAS, the Alabama Legislature specifically intended by enacting said acts that the Jackson County Economic Development Board be funded solely through the allocation of T.V.A. payments made to Jackson County, as provided by Act 84-429, supra, and the power granted the authority for purposes of finances in Section 3 of Act No. 84-441, supra, in pertinent part specifically provided:

"The authority shall have the authority to solicit and receive contributions from other government entities, corporations, partnerships or individuals"; and

WHEREAS, the Alabama Legislature is informed certain board members are preparing to borrow funds; and

WHEREAS, the Alabama Legislature notes that Section 94 of the Constitution of 1901 expressly prohibits the legislature from authorizing "any county . . . or other subdivision of this state to lend its credit, or to grant public money or thing of value in aid of any . . . corporation whatsoever" and borrowing by the said economic board would violate the spirit of such constitutional prohibition; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do expressly declare that the legislative intent in enacting Act Nos. 84-441 and 84-429, Regular Session 1984, did not include borrowing powers by the Jackson County Economic Development Board and we do direct the members of said board to cease and desist from any borrowing activities.

RESOLVED FURTHER, That a copy of this resolution shall be sent to each member of the Jackson County Economic Development Board and the Jackson County governing body.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 99, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Penry:

H. J. R. 86. HONORING MISS BLANCHE V. SIMMONS UPON HER RETIREMENT FOLLOWING 28 YEARS AS BANK DIRECTOR AT FAIRHOPE HIGH SCHOOL.

Also:

By Reps. Burke, Lindsey, Drake, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 89. MOURNING THE DEATH OF MRS. VERA ISBELL BECK OF FORT PAYNE, ALABAMA.

Also:

By Reps. Burke, Rains, Lindsey, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell,

Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 90. COMMENDING U.S. ARMY VETERAN NEAL MORROW OF FYFFE, ALABAMA, FOR EXTRAORDINARY COURAGE.

Also:

By Reps. Flowers and Martin:

H. J. R. 91. COMMENDING THE TROY STATE BASEBALL TEAM ON ITS OUTSTANDING SEASON.

Also:

By Reps. Flowers and Martin:

H. J. R. 92. COMMENDING THE TROY STATE UNIVERSITY TRACK TEAM ON ITS OUTSTANDING SEASON.

Also:

By Reps. Flowers and Martin:

H. J. R. 93. COMMENDING THE TROY STATE LADY TROJAN GOLF TEAM ON ITS OUTSTANDING SEASON.

Also:

By Reps. Flowers and Martin:

H. J. R. 94. COMMENDING THE TROY STATE TROJANS GOLF TEAM ON ITS OUTSTANDING SEASON.

Also:

By Rep. Blake:

H. J. R. 101. COMMENDING MR. AND MRS. WALTER ODATUS LECROY ON THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R. 's 86, 89, 90, 91, 92, 93, 94, and 101, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 3. To amend Section 34-30-22, Code of Alabama 1975, which provides for the qualifications of applicants for licensed social workers, so as to provide further for said qualifications.

Also:

S. 7. To provide that the annual state salary payable circuit clerks and registers shall be \$33,000.00 so as to equitably adjust the ratio between said salaries and the salaries of other judicial officers and to appropriate such funds as may be necessary to pay such increase.

Also:

S. 11. To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 providing for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

Also:

S. 16. To authorize certain Mutual Aid Associations to increase their paid-in capital.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF S. B. 108**

The Senate proceeded to further consideration of the Bill, S. B. 108.

And said Bill, S. B. 108, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Corbett	Foshee	Little
Aldridge	Covington	Goodwin	Menton
Amari	Denton	Hand	Mitchem
Bedford	Dial	Hilliard	Smith (J)
Bedsale	Dixon	Holmes	Strong
Bennett	Drinkard	Langford	Teague
Cabaniss	Ellis		

—25

Nays:

—0

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Jimmie Clements  
7103 63rd Avenue East  
Tuscaloosa, AL 35401

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mr. Robert Hughes  
Florence City Board of Education  
P.O. Box 324  
Florence, AL 35631

Respectfully submitted,  
**GEORGE C. WALLACE,**  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
**ELVIN STANTON,**  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Henry Kendall  
6 Carla Circle  
Birmingham, AL 35213

Respectfully submitted,  
**GEORGE C. WALLACE,**  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Dr. Edith Ledbetter  
P.O. Box 40  
Rogersville, AL 35642

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Priscilla Malone  
1900 Melba Drive  
Dothan, AL 36301

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Greg Miller  
3064 Dug Hill Road  
Huntsville, AL 35811

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Gaynelle Pitts  
Tram Road  
Ft. Payne, AL 35967

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mr. Marshall Robinson  
818 Summerville Street  
Mobile, AL 36617

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Holley:

H. J. R. 103. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Monday, June 4, 1984, we adjourn to meet again on Tuesday, June 5, 1984.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Bishop, the Rules were suspended and the Resolution, H. J. R. 103, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Textbook Committee.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Textbook Committee for the term expiring 4/30/85:

Mrs. Dorothy Veach  
Ronchia Road  
Anniston, AL 36201

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Textbook Committee, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama A & M University Board of Trustees.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Alabama A & M University Board of Trustees for the term expiring 1/31/88:

Mr. W. Troy Massey  
3316 Southmont Drive  
Montgomery, Alabama 36105

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.



**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama A & M University Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Ethics Commission.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Ethics Commission for the term expiring 9/1/89:

Dr. Cordell Wynn  
President  
Stillman College  
P.O. Drawer 1430  
Tuscaloosa, AL 35403

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Ethics Commission, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the State Oil and Gas Board.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the State Oil and Gas Board for the term expiring 10/9/85:

Henry A. Leslie  
3332 Boxwood Drive  
Montgomery, AlabamaRespectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Oil and Gas Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Alabama Housing Finance Authority.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Alabama Housing Finance Authority for the term expiring 5/30/91:

Mr. Tillman Hill  
Moore's Mill Road  
Huntsville, AL 35811Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Housing Finance Authority, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the Savings and Loan Board.

Respectfully submitted,  
ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Savings and Loan Board for the term expiring 3/5/88:

Ernest Todd  
3150 Airport Boulevard  
Mobile, AL 36607

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Savings and Loan Board, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE GOVERNOR**

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I herewith transmit to you a message from the Governor relative to an appointment to the University of South Alabama Board of Trustees.

Respectfully submitted,

ELVIN STANTON,  
Executive Secretary.

DONE this 28th day of May, 1984.

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Ladies and Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the University of South Alabama Board of Trustees for the term expiring 9/30/93:

Mrs. Emma Hutcherson  
P.O. Box 925  
Andalusia, AL 36420

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

DONE this 28th day of May, 1984.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to an appointment to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 106. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Crow:

H. 131. To provide for the department of public safety to issue special nondriver identification cards for retarded persons and to prescribe a certain issuance fee for such cards with the proceeds from such fees earmarked to said department.

Also:

By Reps. Hooper, Harper, Butler, Kvalheim, Starr, Gaston, McMillan, Marietta, Seibels, Coleman, Warren, Brooks, Grouby, Mikell, Flowers, Browder, Richardson, Blake, Cosby, Crow, Dutton, Mitchell, Zoghby, Clark (D), Buskey (John), Lindsey, Blakeney, Moore, Hettinger, Bugg, Britnell, Trammell, Gray, Beers, White (G), Perdue, Melton, Spratt, Horn, Davis, Escott, Rogers, Tanner, Preuitt, McKee, Rice, Bachus, Boles, Rains, Box, Laird, Buskey (James), Clark (W), Kennedy, Penry, Onderdonk, and Pratt:

H. 194. To require persons who have any financial interest in any hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

Also:

By Rep. Butler:

H. 86. To amend Section 17-4-156 of the Code of Alabama 1975, relating to sessions of boards of registrars and working days for such boards, so as to provide that such sessions and working days shall be based on the fiscal year beginning October 1, 1984, and thereafter.

Also:

By Reps. Hettinger, Grayson, Albright, and Butler:

H. 106. To provide that each municipality in the State of Alabama shall have the authority to enter into binding option agreements with respect to any land held by it as the site of an industrial park, subject to certain conditions and limitations.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 131 and 194. To the Committee on Health and Welfare.

H. B. 86. To the Committee on Governmental Affairs.

H. B. 106. To the Committee on Small Business.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Perdue:

H. 143. To provide for and create a public corporation for the purposes of flood control to be known as the Alabama Village and Valley Creeks Flood Control Authority. The office of the Authority is to be located in the City of Birmingham; to provide for a board of directors, prescribe the method of appointment, its duties and authorities, and to provide for employees.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 143. To the Committee on Finance and Taxation.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following Bill:

By Reps. Bachus, Holley, Coleman, White (G), Harvey, Mitchell, Hooper, Beers, Blakeney, Starr, Turner, Rogers, Marietta, Laird, Mikell, Gaston, Kvalheim, Trammell, Burke, Lindsay, Campbell, Brooks, Brakefield, Horn, Harper, and Spratt:

H. 175. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country and to provide retroactive effect.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 175. To the Committee on Buildings and Grounds.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 32

S. J. R. 31

S. J. R. 35

Delivered to the Governor, June 4, 1984, at 7:10 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 7:20 P.M., on motion of Senator Bishop, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 5, 1984, at 2 o'clock P.M.

**SEVENTH LEGISLATIVE DAY****TUESDAY, JUNE 5, 1984**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Larry Davis, Associate Minister, First United Methodist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Brad Payne, Goodwyn Jr. High School, Montgomery, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Pearson
Barron	deGraffenried	Hilliard	Sanders
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Langford	Strong
Bennett	Ellis	Little	Teague
Bishop			

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**JOURNAL**

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Sixth Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator Teague, leave of absence was granted Senators Dixon, Drinkard, and Smith (B) for today.



**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 16. To authorize certain Mutual Aid Associations to increase their paid-in capital.

Also:

S. 3. To amend Section 34-30-22, Code of Alabama 1975, which provides for the qualifications of applicants for licensed social workers, so as to provide further for said qualifications.

Also:

S. 7. To provide that the annual state salary payable circuit clerks and registers shall be \$33,000.00 so as to equitably adjust the ratio between said salaries and the salaries of other judicial officers and to appropriate such funds as may be necessary to pay such increase.

Also:

S. 11. To amend Section 12-19-23, Code of Alabama 1975, to further provide for the fee to be collected in each judicial sale in any district or circuit court in this state; to provide a one dollar administrative fee for the receipt and disbursement of each payment made to the clerk of the circuit or district court or the register of the circuit court, whenever said clerk or register is required, either by order of the court or by statute to collect alimony, child support, or restitution on a periodic and continuing basis for the benefit of any individual, department or agency; to provide that the obligor of any such payment shall be responsible for the administrative fee herein created; to provide for notice to those persons responsible for said fee and to provide that said administrative fee shall be disbursed to the State General Fund; to repeal Section 12-19-230 through Section 12-19-238 providing for witness fees in criminal cases; to provide for the severability of the provisions of this Act; and to provide for an effective date.

Also:

S. 25. Relating to Baldwin County; further providing for the medically indigent citizens of Baldwin County; fixing a definition of medically indigent persons; establishing the Baldwin County Indigent Care Board and describing its authority, composition and duties; and providing for use by the board of certain taxes or other funds received by the board under the provisions of an approved revenue source within Baldwin County.

Also:

S. 26. Relating to Baldwin County; providing for and requiring purging and reidentification of the registered voters; imposing duties upon the Board of Registrars, the Judge of Probate and upon the electors whose names appear on the listing of qualified electors of the county; providing for criminal penalties for violations; and prescribing an effective date.

Also:

S. 27. Relating to the twenty-eighth judicial circuit in Baldwin County; to provide an expense and automobile allowance to the district attorney of said judicial circuit.

Also:

S. 28. Providing for the distribution of Baldwin County's share of off-shore oil and gas severance tax proceeds provided for said county in Section 40-20-8(a) of the Code of Alabama 1975 as amended by Act No. 83-889, H. 26 of the 1983 Fourth Special Session of the Legislature.

Also:

S. 95. To provide for redivision of the county commissioner's districts in Cleburne County, Alabama; to provide for an advisory referendum on the question of the provisions of this act.

Also:

S. 106. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### RESOLUTION

Senator Covington offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. DESIGNATING DALE COUNTY HIGHWAY 40 AS THE "GASTON BLANKENSHIP ROAD."

WHEREAS, the late Mr. Gaston Blankenship served for four years as Dale County Commissioner, District 4; and

WHEREAS, during his illustrious tenure, Commissioner Blankenship was instrumental in significantly upgrading the community and farm-to-market roads; and

WHEREAS, Mr. Blankenship, who was a lifelong successful farmer, also was prominent in other areas of service to the Bertha community and all of Dale County; and

WHEREAS, it is both appropriate and desirable that such a distinguished community leader and public servant be recognized for his contributions and accomplishments; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby name and designate Dale County Highway 40, the "Gaston Blankenship Road."

BE IT FURTHER RESOLVED, That by copy of this resolution, the Dale County Commission shall be notified of this official highway designation and shall further be authorized to erect and maintain appropriate signs and markers distinguishing said highway as the "Gaston Blankenship Road."

RESOLVED FURTHER, That Mrs. Ludie Blankenship receive a copy of this resolution that she may be advised of this honorary designation of the Legislature in honor and memory of her late husband.

On motion of Senator Covington, the Rules were suspended and the Resolution was adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 91. To amend Section 11-46-23, Code of Alabama, 1975, relating to adjusting election ward lines, so as to provide for certain adjustments made to comply with the Voting Rights Act of 1965.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Holmes, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 91, the title of which is set out in the foregoing Message from the House, to-wit:

### HOUSE AMENDMENT TO S. 91

On page 1, in the title, line 21, insert after the figure 1965, the following language:

; and to amend Section 11-43-2 and 11-43-80 of the Code of Alabama 1975, relating to the power and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

On page 2, line 21 insert a new Section 2 as follows:

Section 2. Sections 11-43-2 and 11-43-80, Code of Alabama 1975, are hereby amended to read as follows:

“§ 11-43-2.

“In all cities and towns at the general election to be held on the second Tuesday in July, 1980, and quadrennially thereafter, there shall be elected a mayor, who, in cities having a population of 12,000 or more according to the last or any subsequent federal census, shall not sit with the council nor have a vote in its proceedings, and he shall have the power and duties conferred in this chapter.

“In all cities and towns having a population of less than 12,000 inhabitants according to the last or any subsequent federal census, the legislative functions shall be exercised by the mayor and five aldermen. The mayor shall preside over all deliberations of the council. At his discretion he may vote as a member of the council on any question coming to a vote, except in case of a tie, in which event he must vote.

“The aldermen in such cities or towns shall be elected by the city or town at large at the first general election held on the second Tuesday in July, 1980, and quadrennially thereafter, or from wards as the said councils may determine, not less than six months before an election, and shall receive such salary as the council may prescribe, which must be fixed by the council not less than six months prior to each general municipal election.

"Provided, however, the six-month requirement in this section may be waived when necessary to comply with a mandate by the U.S. Justice Department pursuant to the Voting Rights Act of 1965, as amended, or with an order issued by a state or federal court when such mandate or order is received prior to June 5, 1984.

"§ 11-43-80.

"(a) The mayor shall have the powers and perform the duties provided by this title and by other applicable provisions of law and shall keep an office in the city or town.

"(b) The mayor shall receive such salary as the council may prescribe, which must be fixed by the council not less than six months prior to each general municipal election; provided, however, the six-month requirement in this section may be waived when necessary to comply with a mandate by the U.S. Justice Department pursuant to the Voting Rights Act of 1965, as amended, or with an order issued by a state or federal court when such mandate or order is received prior to June 5, 1984.

"(c) In municipalities which own and operate light and power systems, municipal water systems, municipal sewage systems and municipal gas systems, one or any of them, may, by resolution of the governing body duly entered in its minutes, require the mayor to act as superintendent of such system or systems and to give so much of his time thereof as the governing body may direct. In any municipality in which a municipal board or municipal public corporation owns and operates a municipal light and power system, municipal water system, municipal sewage system and municipal gas system, one or any of them, such board or municipal public corporation may, by resolution duly entered in its minutes, employ the mayor to act as superintendent of such system or systems and to give so much of his time thereto as such board or corporation may direct. The mayor, as such superintendent of such system or systems, shall serve as purchasing agent and make all purchases authorized by the governing body, board or municipal public corporation therefor, and shall keep a check on meter readings and bids for service of the system and see that the collections thereof are made. He shall see that the system or systems are kept in proper repair and operation, shall keep an inventory showing the supplies and equipment on hand for such system or systems, shall keep a full and complete monthly financial statement of all operation costs and receipts and keep a proper inventory of the fiscal assets of such system or systems and shall handle all such data and information relative to such system or systems available for the governing body, board or municipal public corporation at such times as it shall require, but not less frequently than once every three months. For his service as superintendent of such system or systems, the mayor shall be paid, in addition to his salary as mayor, such sum as the governing body, board or municipal corporation shall deem reasonable, but not to exceed \$600.00 per month, except in cases where the governing body, board or municipal corporation requires the full-time services of the mayor as superintendent of such system or systems, in which event he may be paid not exceeding \$1,200.00 per month for such service. The governing body, board or municipal corporation may, at any time it deems best, dispense with the mayor's service as superintendent.

"(d) The provisions of this section shall be curative and retroactive, and any employment of any mayor as superintendent of any such utility or utilities heretofore made by any such governing body, board or municipal public corporation, and any such salary heretofore paid to any mayor by any such

governing body, board or municipal corporation for his services as superintendent of such system or systems, is hereby validated."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Renumber the old Section 2 as Section 3.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Langford	
Aldridge	Cooley	Goodwin	Little	
Bedford	Corbett	Hand	Mitchem	
Bedsole	Covington	Hilliard	Parsons	
Bennett	Dial	Holmes	Teague	—19
<i>Nays:</i>				—0

### REPORTS FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 29. CREATING A LEGISLATIVE OVERSIGHT COMMITTEE TO MONITOR IMPLEMENTATION OF A COMPREHENSIVE PLAN ADDRESSING THE NEEDS OF THOSE SCHOOL SYSTEMS WHICH HAD LOW SUCCESS RATES ON THE ALABAMA HIGH SCHOOL GRADUATION EXAM.

On motion of Senator Teague, further consideration of the Resolution, H. J. R. 29, was postponed subject to the call of the Chair.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 101. COMMENDING MR. AND MRS. WALTER ODATUS LECROY ON THEIR 50TH WEDDING ANNIVERSARY.

On motion of Senator Teague, the Resolution was then concurred in and adopted by the Senate.

### BILLS ON THIRD READING

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 109. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

And said Bill, S. B. 109, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 4.

*Yeas:*

Senators:	Barron	Bennett	deGraffenried
Bailey	Bedford	Cooley	Denton

Ellis	Goodwin	Langford	Strong	
Figures	Hand	Menton	Teague	
Foshee	Hilliard	Mitchem		—18

Nays:

Senators:	Dial	Holmes	Little	
Cabaniss				—4

Senator Bedford moved that the Senate reconsider the vote by which the Bill, S. B. 109, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Senator Langford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 128. To amend Section 17-5-12 of the Code of Alabama 1975, relating to places of voting, so as to provide that the county commission may designate a place of holding elections other than the courthouse in the precinct in which the courthouse is situated.

And said Bill, S. B. 128, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Yeas:

Senators:	Denton	Hilliard	Parsons	
Aldridge	Dial	Langford	Sanders	
Barron	Ellis	Little	Smith (J)	
Cabaniss	Foshee	Menton	Strong	
Cooley	Hand	Mitchem	Teague	
deGraffenried				—20

Nays: —0

### REPORTS FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 61. TO CREATE AND ESTABLISH A JOINT INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT OF THE LEGISLATURE OF ALABAMA.

On motion of Senator Teague, the Resolution was then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 68. COMMENDING THE LEE HIGH CONFEDERETTES, HUNTSVILLE, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 64. COMMENDING COLIN LUKE OF JEFFERSON COUNTY.

Also:

H. J. R. 63. COMMENDING MISS GINGER MARIE HILL OF VESTAVIA HILLS, MISS ALABAMA NATIONAL TEEN-AGER FOR 1984.

Also:

H. J. R. 59. CONGRATULATING MR. AND MRS. MIKE MIKELL ON THE BIRTH OF A DAUGHTER, KIMBERLY DELAINE.

Also:

H. J. R. 69. COMMENDING THE LEE HIGH "OUR BOYS QUARTET," HUNTSVILLE, ALABAMA.

Also:

H. J. R. 72. WELCOMING TO ALABAMA, IN COMMENDATION, MR. GERALD M. CZARNECKI.

Also:

H. J. R. 25. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.

Also:

H. J. R. 86. HONORING MISS BLANCHE V. SIMMONS UPON HER RETIREMENT FOLLOWING 28 YEARS AS BAND DIRECTOR AT FAIRHOPE HIGH SCHOOL.

Also:

H. J. R. 89. MOURNING THE DEATH OF MRS. VERA ISBELL BECK OF FORT PAYNE, ALABAMA.

Also:

H. J. R. 90. COMMENDING U.S. ARMY VETERAN NEAL MORROW OF FYFE, ALABAMA, FOR EXTRAORDINARY COURAGE.

Also:

H. J. R. 92. COMMENDING THE TROY STATE UNIVERSITY TRACK TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 93. COMMENDING THE TROY STATE LADY TROJAN GOLF TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 94. COMMENDING THE TROY STATE TROJANS GOLF TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 78. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL BASEBALL TEAM, 1984 JEFFERSON COUNTY BASEBALL CHAMPIONS.

Also:

H. J. R. 91. COMMENDING THE TROY STATE BASEBALL TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 62. COMMENDING DR. J. MAURICE PERSALL, VESTAVIA HILLS, ON BEING SELECTED AS PTA SUPERINTENDENT OF THE YEAR 1983-1984.

Also:

H. J. R. 46. HONORING THE LATE JOSEPH ELLY DANIEL FOR OUTSTANDING CONTRIBUTIONS TO THE SCHOOLS AND STUDENTS OF CHILTON COUNTY, ALABAMA.

Also:

H. J. R. 52. CONGRATULATING MR. AND MRS. PAT BUNN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 54. COMMENDING MR. THOMAS E. FULLER FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 76. COMMENDING PINSON VALLEY HIGH SCHOOL, STATE WRESTLING CHAMPIONS FOR 1983-1984.

Also:

H. J. R. 77. COMMENDING KEITH D. BLAYNEY, Ph.D., DEAN OF THE SCHOOL OF COMMUNITY AND ALLIED HEALTH AT THE UNIVERSITY OF ALABAMA IN BIRMINGHAM.

On motion of Senator Aldridge, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 14. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE PURCHASE OF A PORTION OF DAUPHIN ISLAND.

On motion of Senator Menton, further consideration of the Resolution, H. J. R. 14, was postponed subject to the call of the Chair.

### RESOLUTION

Senators Cabaniss, Corbett, Bennett, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bishop, Cooley, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong and Teague offered the following Senate Resolution, to-wit:

S. R. 57. MOURNING THE DEATH OF LELAND CLARK GRAVLEE OF BIRMINGHAM, ALABAMA.



Which was adopted.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Dr. Cordell Wynn to the State Ethics Commission.

On motion of Senator deGraffenried, the appointment of Dr. Wynn was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Senators:	Bennett	Figures	Little
Aldridge	Cooley	Goodwin	Parsons
Bailey	deGraffenried	Hand	Sanders
Bedford	Denton	Holmes	Strong
Bedsole	Ellis	Langford	—18

Nays: —0

### RESOLUTION

Senator Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. CREATING A JOINT INTERIM COMMITTEE ON COUNTY GOVERNMENT.

WHEREAS, county governments provide essential services to all of Alabama's 3.9 million citizens whether they reside within the incorporated or unincorporated areas of the state; and

WHEREAS, the growth of the demands for new and expanded county services by both urban and rural citizens has reached heights never before experienced in this state; and

WHEREAS, it is essential that county governments have the necessary constitutional and statutory authority to provide the needed services and at the lowest possible cost to the taxpayers of Alabama; and

WHEREAS, the Alabama Legislature has never had an Interim Committee to study county government in Alabama and this Legislature recognizes the need to create an Interim Committee on County Government; now therefore

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES CONCURRING, That in order to suggest to State Legislators sound, workable and financially feasible methods of administration for Alabama's county governments, there is hereby created a Joint Interim Committee on County Government of the Legislature of Alabama, to be composed of eight (8) members of the Legislature—four (4) from the House, to be appointed by the Speaker of the House, and four (4) from the Senate, to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to completely analyze the present status of county government in Alabama and to make such recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the county governments of this state to better meet and supply the needs and demands of the citizens of this state.

In reviewing the status and laws of county governments in Alabama, the Committee shall consider but shall not limit its consideration to the following items:

(1) The functions and responsibilities of county governments in providing services and facilities to the residents of the state, and whether or not additional legislation is needed or desirable to enable counties to provide reasonable and adequate standards of services and facilities;

(2) The legal framework of county government in Alabama, the power and authority presently enjoyed by county governments heretofore granted by the Legislature, and the restrictions placed on county governments by the Legislature and whether or not there is need for legislation to broaden the powers and authority of said county governments so as to give them more freedom in fulfilling their responsibilities to the citizens of the state;

(3) The financial resources of county government in Alabama and what legislation, if any, is needed to provide more adequate financial resources for support of county governments;

(4) The impact of legislative mandates upon the financial resources of counties;

(5) The impact of industrialization and rapid suburban development on the ability of county governments to provide reasonable and adequate standards of services and facilities to Alabama citizens and what legislation is necessary or desirable to enable county governments to provide a better standard of services and facilities in a period of rapid change in areas such as industrial development, residential subdivision development, solid waste disposal, provision of utility services, personnel administration, personnel training and human resource development, law enforcement, fire protection, highway maintenance and construction, recreation and the coordination of state and federal assistance programs.

BE IT FURTHER RESOLVED, that the Committee shall not consume more than forty-five (45) working days in performing its functions and that its work be finished in time for the preparation of a preliminary report to be submitted during the first week of the 1985 Regular Session of the Legislature of Alabama and a final report to be submitted during the 1985 Regular Session of the Legislature of Alabama and that as far as practicable that all meetings of the Committee be held in the State Capitol and be open to the public. The Secretary of the Senate or Clerk of the House is hereby required to provide one clerk, who shall be a competent stenographer, and the Committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the Committee shall deem necessary. The Committee is hereby empowered and authorized to expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports and in general expenses incident to the work of the Committee. Each member of the Committee shall be entitled to regular legislative compensation, per diem and travel expenses for each day he or she attends a meeting of the Committee which shall be paid out of the funds appropriated to the use of the Legislature, on warrants drawn on the state comptroller upon requisition signed by the Committee's chairman, provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The chairman of the Committee shall certify the sums due to the clerk or other employees of the Committee. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of Seven Thousand Five Hundred Dollars (\$7,500.00). The Lieutenant Governor and the Speaker of the House shall jointly desig-

nate one of the members of the Committee as Chairman and one member to be Vice-Chairman. The Lieutenant Governor and the Speaker of the House shall be ex officio members of the Committee and shall receive compensation at the rate paid other members for each day that they sit with this Committee or in handling any other matters agreed upon by the Committee in line with the general purpose of the Committee.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

### **BILLS ON THIRD READING RESUMED**

Senator Strong requested and received permission to suspend the Rules in order to bring up the Bill:

S. 158. To exempt all persons employed in public schools from liability for certain communications concerning the suspected use, possession, sale or furnishing of any controlled substance by any student, to the student's parents, law enforcement officers or health care providers.

Senator deGraffenried moved that further consideration of the Bill, S. B. 158, be postponed temporarily.

Senator Strong moved that the motion to postpone be laid on the table, which motion was lost.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Moore:

H. 18. Relating to the collection of reasonable fees associated with producing criminal offender records for inspection.

JOHN W. PEMBERTON,  
Clerk.

### **HOUSE MESSAGE**

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 18. To the Committee on Rules.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 17. To provide for the establishment of the Special Services Division of the District Attorney's Office of each Judicial Circuit and further establish a unit for the expedient treatment of worthless checks.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 103. RELATIVE TO LEGISLATIVE MEETING DATES.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

**RESOLUTIONS**

Senator Smith (J) offered the following Senate Resolutions, to-wit:

S. R. 59. COMMENDING DR. GRADY L. BAKER.

Also:

S. R. 60. COMMENDING DR. ROBERT RICHARDS, PROMINENT HUNTSVILLE, ALABAMA, CHIROPRACTOR.

Also:

S. R. 61. COMMENDING DR. JOSEPH CLYDE DOWDLE FOR OUTSTANDING CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA-HUNTSVILLE AND TO THE HUNTSVILLE COMMUNITY.

Also:

S. R. 62. COMMENDING MR. JAMES MICHAEL SEGREST FOR OUTSTANDING SERVICE TO THE HUNTSVILLE COMMUNITY.

Which were read and referred to the Standing Committee on Rules.

**FURTHER CONSIDERATION OF S. B. 158**

The Senate proceeded to further consideration of the Bill, S. B. 158. The question was on the motion of Senator deGraffenried to postpone further consideration of the Bill, S. B. 158, temporarily, which motion was adopted.

**MESSAGE FROM THE GOVERNOR**

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a message from Governor George C. Wallace.

Done this 5th day of June, 1984.

Respectfully submitted,  
ELVIN L. STANTON,  
Executive Secretary.

**MESSAGE FROM THE GOVERNOR**

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130  
Ladies and Gentlemen:

The matter of resolving the co-employee lawsuit problem in Alabama is of such great importance to all the people of our state that I call upon all members of the Legislature, both the House and Senate, to do everything possible to reach a compromise position. I totally disagree with those few on each side of the issue who claim there is no room for compromise. I think that point of view stems from a handful of business interests who do not want competition, and a handful of trial lawyers who do not want the number of potential lawsuits diminished. In my opinion, neither side represents the best interest of this state and we must find a middle ground.

The bill that I had introduced in the House, and which was passed by that body, was a beginning point. No one had the complete answer at the beginning of the session and if we had waited six months we would have been, in my opinion, no closer to a solution than we are today. This is a matter that must be resolved by the members of the Legislature, and I feel it can be resolved if we search for that middle-ground compromise.

I realize that the bill passed by the House has no realistic chance of passage. I disagree with those who are advocating that only that bill can solve the problem and nothing else. That is absurd. I believe that the sentiment of nearly all the members of the Legislature, and certainly of the Administration, is to pass a bill that gets away from simple negligence, improves workmen's compensation, and includes the death action provision.

I call upon responsible members of both houses who have been working hard to reach a compromise position, to continue their efforts and for others to join in the search for a middle-ground position that would be in the best interest of all the people of our state.

Sincerely,  
GEORGE C. WALLACE,  
Governor.

**GOVERNOR'S MESSAGE**

The foregoing Message from His Excellency, the Governor, relative to co-employee legislation, was read and ordered filed with the Secretary.

**RESOLUTIONS**

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 63. COMMENDING MR. JAMES I. STROTHER UPON HIS RETIREMENT FROM WEST POINT PEPPERELL.

Also:

S. R. 64. COMMENDING MRS. VIRADA SCHUESSLER OF AUBURN UNIVERSITY.

Which were adopted.

Senator Covington offered the following Senate Resolution, to-wit:

S. R. 65. PROCLAIMING JUNE 30, 1984, AS "WILLIAM DOUGLAS MATTHEWS DAY."

Which was adopted.

Senator Little offered the following Senate Resolution, to-wit:

S. R. 66. COMMENDING MRS. LINDA D. FUCCI OF AUBURN, ALABAMA.

Which was adopted.

Senator Hilliard offered the following Senate Resolution, to-wit:

S. R. 67. COMMENDING ROSA M. KENT.

Which was adopted.

Senators deGraffenried, Little, and Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 68. COMMENDING MRS. SARAH H. RODGERS, 1984 TUSCALOOSA COUNTY CITIZEN OF THE YEAR.

WHEREAS, in sentiment of highest commendation, the Alabama Legislature notes the selection of Mrs. Sarah H. Rodgers of Northport, Alabama, as Tuscaloosa County Citizen of the Year, a prestigious honor bestowed May 29, 1984, by the Tuscaloosa Civitan Club during the organization's annual Citizenship Banquet; and

WHEREAS, Mrs. Rodgers is indeed a distinguished Tuscaloosa County citizen, and one whose life of selfless service is documented through many years of volunteer community involvement; and

WHEREAS, Mrs. Rodgers is a former University of Alabama mathematics instructor; she retired in 1971 after 35 years on the faculty, during which time she served as Mortar Board advisor, president of Phi Beta Kappa, and was elected to the Commerce School honorary, Beta Gamma Sigma; and

WHEREAS, though Mrs. Rodgers' activities are varied, she has been most particularly involved in aid to the handicapped through such vehicles as service on the boards of the West Alabama Rehabilitation Center, the Alabama Society for Crippled Children and Adults and the society's camp for handicapped citizens; she serves as well on both the governor's and the president's committees for employment of the handicapped; and

WHEREAS, Mrs. Rodgers' volunteerism also includes other areas such as the Boys Clubs, Community Council and Voluntary Action Center, and activities involving health services, senior citizens and community beautification among others; and

WHEREAS, she is a member and past president of the United Daughters of the Confederacy, Daughters of the American Revolution, University Women's Club and the Present Day Study Club; she serves on the board of Friends of the Library and is a member, past officer and Sunday School teacher at Northport First United Methodist Church; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in sincere commendation and regard, we hereby most highly praise Mrs. Sarah H. Rodgers of Northport, Alabama, as Tuscaloosa County's most distinguished Citizen of the Year,

1984; we further direct that Mrs. Rodgers receive a copy of this resolution, expressing the Legislature's deep admiration and esteem.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Hand offered the following Senate Resolution, to-wit:

S. R. 69. BE IT RESOLVED by the Senate of the State of Alabama that they convene themselves into a Committee of the Whole at 4:00 P.M. on June 5, 1984.

BE IT FURTHER RESOLVED, that the Senate be in Executive Session as provided for in Article IV, Section 57 of the Constitution of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

### REPORT OF COMMITTEES

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Bachus, Holley, Coleman, White (G), Harvey, Mitchell, Hooper, Beers, Blakeney, Starr, Turner, Rogers, Marietta, Laird, Mikell, Gaston, Kvalheim, Trammell, Burke, Lindsey, Campbell, Brooks, Brakefield, Horn, Harper, and Spratt:

H. 175. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country and to provide retroactive effect.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senators Foshee and Teague:

S. 18. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist or podiatrist in the performance of his professional services from any city, county and state sales tax.

By Senators Dixon, Foshee, and Covington:

S. 43. To amend Section 22-14-5 of the Code of Alabama 1975, which provides for the radiation advisory board of health, so as to provide for appointment of a veterinarian to such board.

By Rep. Crow:

H. 131. To provide for the department of public safety to issue special nondriver identification cards for retarded persons and to prescribe a certain issuance fee for such cards with the proceeds from such fees earmarked to said department.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the follow-

ing bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Hettinger, Grayson, Albright, and Butler:

H. 106. To provide that each municipality in the State of Alabama shall have the authority to enter into binding option agreements with respect to any land held by it as the site of an industrial park, subject to certain conditions and limitations.

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Trammell and Bachus:

H. 25. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

Senator Holmes, Chairperson of the Standing Committee on Small Business, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Holmes:

S. 132. To amend sections 8-17-210, 8-17-211, 8-17-217, 8-17-218, 8-17-221, 8-17-222, 8-17-224, 8-17-225 and 8-17-226, Code of Alabama 1975, which provide for the regulation of fireworks in Alabama, so as to revise the definition of "retailer" to include provisions for seasonal retailers; to revise the definition of "distributor" to include provisions for all persons making sales of fireworks for resale; to require all permits to be displayed; to require persons shipping fireworks within the state to apply for permits; to prohibit mail order sales of fireworks; to provide further for permit fees and the distribution of proceeds therefrom; to provide further for the prohibition of the sale of certain fireworks; to provide further for the display of fireworks; to prohibit sales of fireworks to persons under 16, and to provide for the sale of confiscated fireworks.

By Senator Holmes:

S. 162. To amend Act 84-407 so as to extend the time the state has, before interest penalties imposed, to pay contract and invoice obligations, and to extend the effective date of said Act until October 1, 1985.

By Rep. Campbell:

H. 208. To amend Section 3 of Act 83-925, S. 11, 1983 Fourth Special Session (Acts of Alabama 3rd and 4th Special Sessions 1983, p. 207) which authorizes a bond issuance by the state industrial development authority and to provide certain additional powers and duties of the authority, so as to authorize the authority to make certain grants of money to economic development councils.

Senator Foshee, Chairperson of the Standing Committee on Buildings and Grounds, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable



report, and they were severally read a second time and placed on the calendar, to-wit:

By Reps. Cosby, Drake, Holley, Faulk, Carter, Blake, and Fuller:

H. 122. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama of 1975, as amended, to establish an effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

By Reps. Johnson (Roy) and Richardson:

H. 192. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Senator Aldridge:

S. 85. To amend section 36-22-63, Code of Alabama 1975, relating to the purchase of prior service credit for participation in the supernumerary sheriff's program, so as to extend the time within which such a purchase may be made.

By Senator Teague:

S. 148. To re-open the Retirement Systems of Alabama in order to allow active and contributing members and former such members with vested retirement benefits to claim and purchase credit for military service or service as a member of the National Youth Administration School and to provide for its termination.

By Rep. Moore:

H. 21. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

By Reps. Hall, Drake, Grouby, Grayson, Albright, Clark (J), Mathis, Hettinger, Hooper, Butler, Rains, Seibels, Carter, Brakefield, Starr, Gaston, Zoghby, Junkins, Burke, McMillan, Blakeney, Lauderdale, Flowers, Trammell, Harper, Moore, Coleman, Horn, Warren, Turner, Campbell, Clark (D), Biddle, Dutton, Newman, Harvey, Perdue, Starkey, Lindsey, Laird, White (F), Holley, Faulk, Goodwin, Pratt, Bowling, Box, Spratt, Escott, Tanner, Preuitt, Kvalheim, Crow, Fuller, Cosby, Bugg, Davis, McDowell, Johnson (Roy), Johnson (RG), Onderdonk, Venable, Nicholson, Blake, Rice, Clark (W), Buskey

(James), Carothers, McKee, Black, Penry, Marietta, Rogers, Melton, Martin, Kennedy, Gray, and Hammett:

H. 100. To amend Section 40-9-13 of the Code of Alabama 1975, relating to exemptions from taxation, so as to exempt, among others, the Annual Shrine Circus as well as all other charitable Shrine amusement and fund raising events from all license fees and charges including any privilege and excise tax levied by the state or any county or municipality; and to provide that such charitable Shrine amusement and fund raising events shall be subject to all the provisions of Section 40-9-12 of the Code of Alabama 1975.

By Rep. Campbell:

H. 113. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401 (k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Butler (With Notice and Proof):

H. 14. Relating to Madison County; amending Act No. 951, H. 2010, 1973 Regular Session, (Acts 1973, p. 1459) which provides for the meeting days of the board of registrars, so as to increase said days.

By Reps. Hettinger and Albright (With Notice and Proof):

H. 130. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

By Rep. White (L) (With Notice and Proof):

H. 41. Relating to Tallapoosa County; amending Section 2 of Act No. 32, S. 62, Regular Session 1967 (Acts 1967, p. 363), relating to compensation for members of the board of registrars, so as to regulate further said supplement, and to provide for mileage; providing for retroactive effect; and repealing Act No. 80-681, H. 1125, Regular Session 1980 (Acts 1980, p. 1367), Act No. 80-784, S. 606, Regular Session 1980 (Acts 1980, p. 1681), and Act No. 111, H. 86, 2nd Special Session 1978 (Acts 1978, p. 1827), relating to such salary and mileage.

By Rep. Harvey (With Notice and Proof):

H. 139. Relating to Blount County; to create a motor vehicle license division within the Revenue Commissioner's office for the issuance of motor vehicle licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county

by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses by the Revenue Commissioner's office; to transfer certain duties now performed by the Probate Judge to said Revenue Commissioner, and to provide for the compensation of the Revenue Commissioner.

By Rep. Harvey (With Notice and Proof):

H. 142. Relating to Blount County; to require the placing of the name and address of certain parties on legal documents filed for record in the probate office; to relieve the judge of probate from damages or penalty for any error or mistake in the performance of the duties prescribed by this Act.

By Rep. Reed:

H. 153. Proposing an amendment to the Constitution of Alabama 1901, providing for the membership, manner of election and terms of the members of the board of education for Macon County, Alabama and providing that this amendment shall be self-executing.

The above Bill was read a second time at length as required by the Constitution.

By Reps. Carter and Clark (D) (With Notice and Proof):

H. 179. Relating to Limestone County; to provide for appointment of a county license commissioner by the county commission in lieu of the county license commission authorized by Act No. 746, H. 757 of the 1978 Regular Session (Acts 1978, p. 1089); to prescribe the duties, compensation and term of such commissioner; to abolish the office of county license inspector and transfer such duties to the newly appointed license commissioner; to provide that such commissioner shall perform certain duties heretofore performed by the tax assessor, tax collector and judge of probate; to prescribe certain fees, charges and commissions to be collected by such commissioner and provide for disposition of the proceeds thereof; to provide for certain reports relating to such collections and to prescribe certain penalties for violations relating to licenses.

By Rep. Clark (J) (With Notice and Proof):

H. 196. Relating to selling and redeeming lands for taxes in Barbour County, Alabama.

By Rep. Thomas (With Notice and Proof):

H. 128. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; prescribing the duties and setting the salaries for such clerks; and repealing Act No. 119, H. 115, 1978 Second Special Session (Acts 1978, p. 1835), relating to compensation for such clerks.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Rep. Box (With Notice and Proof) (With Substitute):

H. 134. To alter, rearrange and add to the limits of the City of Satsuma in Mobile County, Alabama, and to describe the area so added to the City of Satsuma.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Zoghby (With Notice and Proof) (With Amendment):

H. 73. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the City of Mobile Reception Room Committee for furnishing the Mobile City Hall reception room, from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1984, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Notice and Proof):

H. 108. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after May 7, 1984.

By Rep. Harper (With Notice and Proof):

H. 96. Relating to Mobile County; exempting all real and personal property owned and used as community centers, ball parks and recreational facilities by nonprofit businesses and corporations from all county ad valorem taxation.

By Rep. Harper (With Notice and Proof):

H. 95. Relating to Mobile County; requiring the county governing body to pay from the county general fund, or any fund designated for roads or bridges, the expense of relocating certain water pipes and lines, owned by rural water or municipal water systems when outside of the municipalities' police jurisdiction, as a result of certain public roads maintenance, construction, bridge repair or replacement; and repealing conflicting laws.

By Rep. Harper (With Notice and Proof):

H. 93. To amend Section 1 of Act No. 319, H. 593, of the 1976 Regular Session (Acts 1976, p. 353), which provided for a mosquito, rodent and other vector control ad valorem tax in Mobile County, so as to provide further for certain exemptions from such tax.

By Reps. Zoghby, Clark (W), and Kvalheim (With Notice and Proof):

H. 66. To amend Section 1 of Act No. 82-374, H. 727, 1982 Regular Session of the Legislature (Acts 1982, p. 549), which act relates to the Mo-

bile County board of registrars, so as to provide further for the meeting dates of such board for voter registration and voter reidentification purposes.

By Reps. Zoghby, Kvalheim, and Gaston (With Notice and Proof):

H. 65. To amend section 2 of Act No. 181, H. 117, Regular Session 1957, (Acts 1957, p. 233), relating to Mobile County governing body, so as to require that each candidate for county commissioner must have resided within the district for which he qualifies a certain minimum period, and each county commissioner must reside within the respective district he represents during the term of office or forfeit the job.

By Reps. Zoghby, Clark (W), Kvalheim, and Gaston (With Notice and Proof):

H. 64. Relating to Mobile County, to amend further Section 5 of an Act No. 242, S. B. 79, 1876 of the general assembly approved February 15, 1876 which regulates public schools in the County, as last amended by Act No. 480, S. 485, 1969 Regular Session (Acts 1969, p. 937), which relates to the county board of education.

By Reps. Zoghby, Clark (W), and Kvalheim (With Notice and Proof):

H. 63. Relating to Mobile County; authorizing the county commission to extend, by resolution, the meeting days of the board of registrars during certain months as merited by certain circumstances and providing that this act shall be retroactive to May 1, 1982.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Rep. Turner (With Notice and Proof) (With Amendment):

H. 32. Relating to Mobile County; to provide further for the disposition and use of the funds received by Mobile County under the provisions of Title 40, Chapter 20, Article 1, Code of Alabama 1975, as amended, providing for the levy of a privilege tax on the production of oil and gas; and to specifically repeal Act No. 870, H. 1517, Regular Session 1975 (Acts 1975, p. 1714), providing further for the disposition and use of a certain portion of the funds received by Mobile County from an oil and gas severance tax, and all other laws or parts of laws in conflict herewith.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Rep. Harper (With Notice and Proof):

H. 94. Relating to Mobile County; providing that any political subdivision or agency of such subdivision within the county shall solicit competitive bids when leasing any warehouse, storage, shop, office space or land from or to any individual, association, corporation, partnership or other business entity and prescribing certain bid procedures.

By Rep. Buskey (James) (With Notice and Proof):

H. 172. Relating to the City of Mobile; amending Section 22 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to allow any member of the system to withdraw from participation at any time.

By Rep. Buskey (James) (With Notice and Proof):

H. 166. To provide for an adjustment in certain benefits paid under the pension and relief system for policemen and firemen of the City of Mobile to retired members of such system who retired after October 1, 1977, and before May 4, 1978.

By Rep. Harper (With Notice and Proof):

H. 155. Relating to Mobile County; authorizing the judge of probate to sell lists of voters to certain candidates and providing for the disposition of funds from said sales.

By Reps. Clark (W) and Buskey (James) (With Notice and Proof):

H. 107. To further provide for the City of Prichard Water Works and Sewer Board; to amend Act No. 161, S. 171 of the 1957 Regular Session (Acts 1957, p. 210), Sections 1 through 24, which created the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the board) and The Water Works and Sewer Board Employees' Pension and Relief Fund; provided for the setting apart of such funds; created a pension and relief system applicable to all permanent employees of such board; provided for appropriation from the board to make up any deficit in Pension and Relief Fund; provided for the placement and handling of such funds and the handling of applications therefor and operation of such system; exempted such funds from being subject to garnishment or levy or sale under execution or otherwise; provided payment for disabled and retired employees of such board; provided for the appropriation for funeral expenses upon the death of any employee of the board; provided for gifts, donations, legacies to such fund and for the appointment of trustees and for the creation of a Board of Pensions for all purposes in connection herewith; provided penalties for the violations of its provisions.

Senator Figures, Chairperson of the Standing Committee on Local Legislation No. 3, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Senator Bedsole (With Notice and Proof) (With Amendment):

S. 29. Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of government; and providing for penalties for violations of certain provisions of this Act.

Senator Foshee, Chairperson of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Faulk (With Notice and Proof):

H. 33. Relating to Butler County; to provide for the distribution of certain beer tax proceeds.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 5. To amend the "Alabama Environmental Management Act," the "Alabama Air Pollution Control Act of 1971," as amended, and the "Alabama Safe Drinking Water Act of 1977," as amended, specifically amending sections 22-22A-5, 22-22A-11, and 22-23-39, Code of Alabama 1975, as amended, and repealing section 22-25-10, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management (ADEM) to establish procedures for the collection of fees from applicants for permits, licenses, certifications or variances, such fees to be based on the reasonable anticipated cost to ADEM of the examination and processing of applications, plans, specifications or other data, investigations and public hearings for the issuance, reissuance, modification or denial of any permit, license, certification or variance; to authorize ADEM to recover from a violator the actual cost reasonably incurred by ADEM to prevent, minimize or abate any adverse effect on air, land or water resources which results or may result from a violation of a law, rule or regulation, or a permit, certification or variance issued by ADEM; to require the suppliers of drinking water to reimburse ADEM for the reasonable anticipated cost of bacteriological, sanitary and chemical analysis required to be performed under the "Alabama Safe Drinking Water Act of 1977;" and to appropriate all moneys deposited in the Alabama Department of Environmental Management Fund to the use of ADEM.

Also:

S. 67. To amend Section 41-4-50 of the Code of Alabama 1975, relating to the division of control and accounts of the department of finance so as to authorize by approval of the payee any state warrant to be deposited in or electronically transferred to any financial institution with this capability.

Also:

S. 92. To repeal Section 12-13-52, Code of Alabama 1975, which section fines probate judges for the appointment of certain persons as guardian ad litem.

Also:

S. 101. To amend Sections 34-11-2, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-13, 34-11-15, 34-11-32, and 34-11-35 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors, so as to regulate further such registration and the fees therefor; to provide for the issuance of certificates of authorization to certain corporations, partnerships or firms practicing engineering or land surveying; and to regulate further the com-

pensation of members of the board of registration for professional engineers and land surveyors, and to provide for corporate practice.

JOHN W. PEMBERTON,  
Clerk.

### RESOLUTIONS

Senators Langford and Teague offered the following Senate Resolution, to-wit:

S. R. 70. COMMENDING MR. AUSTIN BATTLE ON BEING THE WINNER OF THE ELMORE COUNTY OLDER AMERICAN AWARD AT THE AGE OF 104.

Which was adopted.

Senators Langford and Teague offered the following Senate Joint Resolution, to-wit:

S. J. R. 71. COMMENDING MR. AUSTIN BATTLE ON BEING THE WINNER OF THE ELMORE COUNTY OLDER AMERICAN AWARD AT THE AGE OF 104.

WHEREAS, Mr. Austin Battle of Wetumpka, whose date of birth is March 1, 1880, was 104 on March 1, 1984; and

WHEREAS, he is the winner of the Elmore County Older American Award given on May 17, 1984; and

WHEREAS, his wife is Lucille Battle and they are the parents of two sons and two daughters; and

WHEREAS, Mr. Battle's hobbies include walking and talking to others; and

WHEREAS, he advises everyone to: "Try to treat others as you would like to be treated" and "It's not what you do, but how you do"; and

WHEREAS, he contributes his long lifespan to the fact that he has done much hard work; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we would like to congratulate and pay tribute to this great man of Alabama on winning the Elmore County Older American Award, and extend him our wishes for his good health and happiness in the years to come.

BE IT FURTHER RESOLVED, That in small token of our deep admiration, a copy of this resolution be presented to Mr. Austin Battle, that he may know of our high esteem and regard.

On motion of Senator Langford, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bailey and Barron offered the following Senate Joint Resolution, to-wit:

S. J. R. 72. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE BOARD OF EDUCATION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the State Board of Education. The committee shall be composed of three members of each house, to be ap-



pointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of the State Board of Education including but not limited to the structure, duties and functions of the board and appropriate qualifications for board members.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the second legislative day of the 1985 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$7,500.00. The committee shall have subpoena power.

On motion of Senator Bailey, the Rules were suspended and the Resolution was adopted by the Senate.

Senators Bailey and Bishop offered the following Senate Joint Resolution, to-wit:

S. J. R. 73. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE PARKS.

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study the Alabama state parks. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of our state park system including but not limited to the maintenance of existing facilities.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the second legislative day of the 1985 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$7,500.00. The committee shall have subpoena power.

Which was read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 55. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill Furnace and Foundry Commission, so that such employees would be covered by workmen's compensation.

Also:

S. 153. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Also:

S. 1. To amend Section 16-13-190 of the Code of Alabama of 1975 so as to validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of such tax in the consolidated district resulting from such consolidation.

Also:

S. 34. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Dale County's board of registrars meeting days.

Also:

S. 133. To amend Sections 15-12-20, 15-12-21, 15-12-22 and 15-12-24 of the Code of Alabama 1975, relating to defense of indigents, so as to provide further for representation of indigents; and to provide further for the compensation of counsel and reimbursement for expenses incurred; to authorize the state comptroller to withdraw certain amounts from the fair trial tax fund to cover the expenses of administering indigent defense; and to amend Section 12-19-252 of the Code of Alabama 1975, so as to further provide for annual appropriations from the fair trial tax fund to pay the withdrawals of the state comptroller.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 63. Relating to exempt property and allowances under the Probate Code; to permit employers to pay to the surviving spouse or to a person

with custody over surviving children any wages or salary due an employee who dies intestate, said sum being considered a part of other exempt property and allowances.

Also:

S. 32. To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

Also:

S. 31. To propose an amendment to the Constitution of Alabama 1901, relating to the eradication or control of the boll weevil in cotton; allowing the Legislature, by general law, to provide for assessment of levies, financing, collection, distribution and expenditure of funds by a designated non-profit organization for the sole purpose of eradicating or controlling the boll weevil.

Also:

S. 35. To provide methods and procedures to be used for boll weevil eradication in cotton; to provide definitions; to allow entering into cooperative agreements; to allow inspections of premises; to require reports; to allow the establishments of quarantines and elimination zones and to provide for treatment of cotton in elimination zones to include destruction; to allow adoption of rules and regulations and penalties for their violation; to provide for certification of a cotton growers organization and for a referendum to be conducted by said organization; to provide for assessments to be paid by growers and penalties for failure to pay assessments; to provide for the promulgation of regulations.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Rep. Zoghby (With Notice and Proof):

H. 111. Relating to Mobile County; providing further for the qualifications and duties of constables.

I hereby certify that the Notice & Proof is attached to the Bill, H. B. 111, as required in the General Acts of Alabama, 1975 Act No. 919.

JOHN W. PEMBERTON,  
Clerk.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 111. To the Committee on Rules.

## RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 74. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the seventh legislative day of the 1984 First Special Session only:

Inst Id		Page
S. 117	State employees' ins. board, membership increase to include two retirees.	2
S. 20	Retirement systems, state employees and teachers, portion of group ins. prem. assumed by the state, Sec. 36-29-10 am'd.	20
S. 77	Prisoners, death penalty, Gov. auth. commute to life without parole, Sec. 15-22-27 am'd.	5
S. 68	12th Jud. circuit, Coffee and Pike County, dist. atty. and circuit judges provided supplemental salary from cos. treasuries, in lieu of co., suppl. heretofore provided.	31
S. 44	State Employees, liab. insurance provided by st. agencies, phased in period, Sec. 36-1-6.1 am'd.	2
S. 88	Office of Emergency Mgt., includes man-made, natural or technological disasters, for purposes of continuing st. gov't, numerous Sections of Chap. 9, title 31, am'd.	32
S. 135	State Parks, concession contracts, term reg., Sec. 9-14-27 am'd.	25
S. 149	County and municipal governing bodies auth. to negotiate certain bond issues for private sale to the U.S. of Amer. of St. of Ala for obtaining the lowest net int. cost	24
S. 52	Juveniles, transferred from juv. ct. to ct. to be treated as adult, procedure, Sec. 12-15-34 am'd.	4
S. 45	Wineries, nature farm, defined, Sec. 28-6-1 am'd.	1
S. 123	Cahaba River, protecting, estab. a management corridor.	25
S. 134	Motor vehicles, mandatory liab. insurance provid. penalties provid.	16

On motion of Senator Cooley, the Resolution was adopted by the Senate.

**SPECIAL ORDER**  
**BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

S. 117. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

And said Bill, S. B. 117, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Covington	Foshee	Mitchem
Aldridge	deGraffenried	Goodwin	Parsons
Bedford	Denton	Hand	Sanders
Bennett	Dial	Langford	Smith (J)
Cabaniss	Ellis	Little	Teague
Cooley	Figures	Menton	

—22

*Nays:*

—0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Reps. Kvalheim, McMillan, Zoghby, Harper, Box, Onderdonk, Marietta, Penry, Gaston, and Clark (W):

H. 72. To prohibit public and private motor vehicle carriers from transporting hazardous or flammable materials through tunnels; to provide for jurisdiction of certain law enforcement officers; and to provide penalties for violations.

Also:

By Rep. White (F):

H. 11. To amend Section 36-23-1, Code of Alabama 1975, relating to the number of constables for each county, so as to permit any county, by local legislation to abolish such office in that county.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 72 and 11. To the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Penry:

H. 101. To amend Sections 41-9-340, 41-9-343, 41-9-347 and 41-9-355, Code of Alabama 1975, relating to the USS Alabama Battleship Commission, so as to provide for the vacation of office by a member for failure to attend meetings, to increase the monetary limits for which a contract may be executed, to provide that said park shall honor all who participated in military defense of our nation and to forgive certain debts owed by the Commission to the Alabama State Docks.

Also:

By Rep. Smith:

H. 213. To amend sections 36-21-68, 36-21-71, 36-21-74, and 36-21-76 of the Code of Alabama 1975, relating to the Alabama Peace Officers' Annuity and Benefit Fund, so as to eliminate purchasing of past service by new members of the fund; and to provide further for disability benefits and continued membership.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 101 and 213. To the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Butler:

H. 13. To amend Section 11-46-69 of the Code of Alabama 1975, relating to procedure for contesting certain municipal elections, so as to provide further for such procedure by allowing a municipal governing body to provide by resolution for a recount in such contested elections.

Also:

By Reps. Cosby, Bryant, Grouby, Turner, Brakefield, and Thomas:

H. 121. To protect, preserve, maintain, and enhance the scenic, recreational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed

as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 13 and 121. To the Committee on Rules.

### RESOLUTIONS

Senator Little offered the following Senate Resolutions, to-wit:

S. R. 75. COMMENDING MRS. ELOISE D. GRAVES, RECIPIENT OF THE NAVY SPECIAL ACHIEVEMENT AWARD.

Also:

S. R. 76. COMMENDING ARNOLD WILLIAM UMBACH III OF AUBURN, ALABAMA, UPON BEING HONORED FOR OUTSTANDING ACADEMIC ACHIEVEMENT.

Which were adopted.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. White (L):

H. J. R. 107. NAMING S. B. 17 OF THE 1984 FIRST SPECIAL SESSION, THE "HOLMES-LAIRD ACT."

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That S. B. 17 of the 1984 First Special Session, as enacted, shall be known as the "Holmes-Laird Act."

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 107, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Bowling:

H. J. R. 109. CREATING A SELECT JOINT COMMITTEE TO STUDY AND REVIEW ALL REGULATIONS, POLICIES AND PROCEDURES OF ALL WELFARE, INCLUDING OLD AGE PENSION PRO-

GRAMS, MEDICAID AND SOCIAL PROGRAMS FUNDED OR ADMINISTERED BY THE STATE OF ALABAMA, FOR THE PURPOSE OF RECONSTRUCTING SAME TO ELIMINATE ABLE-BODIED, AND THEREFORE INELIGIBLE, RECIPIENTS OF PUBLIC FUNDS.

WHEREAS, the funding for Alabama's various welfare, including old age pension programs, and social programs, as well as Medicaid, continue to take a larger and larger portion of the funds in our state treasury; and

WHEREAS, the costs of such programs have continued to rise at such an alarming rate that the working men and women in Alabama can hardly support their own families, much less those people who can work but refuse to do so; and

WHEREAS, with welfare fraud and medicaid abuse running rampant nationwide, the State of Alabama has no reason to expect that such abuse does not exist in our own state; and

WHEREAS, it is the intent of the Alabama Legislature that the hard-pressed taxpaying citizens of Alabama no longer be expected to foot the bill for able-bodied individuals who exert themselves only once a month to endorse and cash a check or receive their benefits provided by the responsible hard-working taxpayers of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint select committee to be composed of three members of the House and three members of the Senate to be appointed by the presiding officer of each respective house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The Committee shall thoroughly study and investigate the programs, policies, regulations and procedures of all welfare, medicaid and social programs, funded or administered by the State of Alabama, for the purpose of reconstructing same in order to both eliminate those able-bodied individuals who are ineligible for benefits and to reduce payments in those cases in which overpayment can be shown.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the 15th legislative day of the 1985 Regular Session, whereupon the committee shall be dissolved. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman. Total expenditures of the committee shall not exceed \$9,000.00 per annum.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 109, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.



**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Reps. Kennedy, Buskey (James), Thomas, Black, Clark (W), Holmes, Spratt, Bryant, Buskey (John), McDowell, Davis, Perdue, Horn, Melton, Grayson, and Reed:

H. J. R. 110. COMMENDING MISS ANNE MARIA SCOTT FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

By Reps. Kennedy, Buskey (James), Thomas, Black, Clark (W), Holmes, Spratt, Bryant, Buskey (John), McDowell, Davis, Perdue, Horn, Melton, Grayson, and Reed:

H. J. R. 111. COMMENDING MISS CHRISTELLA MOORER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

By Reps. Kennedy, Buskey (James), Thomas, Black, Clark (W), Holmes, Spratt, Bryant, Buskey (John), McDowell, Davis, Perdue, Horn, Melton, Grayson, and Reed:

H. J. R. 112. COMMENDING MISS OLIVIA TURNER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

By Reps. Kennedy, Buskey (James), Thomas, Black, Clark (W), Holmes, Spratt, Bryant, Buskey (John), McDowell, Davis, Perdue, Horn, Melton, Grayson, and Reed:

H. J. R. 113. COMMENDING MR. NORBERT HERSHAEL WILLIAMS FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolutions, H. J. R.'s 110, 111, 112, and 113, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Bugg:

H. J. R. 105. AMENDING ACT NO. 84-133, H. J. R. 3 OF THE REGULAR SESSION 1984, CREATING THE JOINT INTERIM STUDY

**COMMITTEE TO STUDY THE STEEL INDUSTRY, SO AS TO INCREASE ITS MEMBERSHIP.**

WHEREAS, Act No. 84-133, H. J. R. 3 of the Regular Session 1984, creating a Joint Interim Study Committee to Study the Steel Industry provided for six members and the Legislature feels eight members will better serve the purposes of the study; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the first paragraph of Act No. 84-133, H. J. R. 3 of the Regular Session 1984 is amended to read as follows:

"BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Legislative Interim Committee to Study the Steel Industry. Said committee shall be composed of ~~six~~ eight members who shall be appointed from the Legislature. The Speaker of the House shall appoint three ~~four~~ members and the Lieutenant Governor shall appoint three ~~four~~ members from the House and Senate respectively."

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The Resolution, H. J. R. 105, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

**BILLS ON THIRD READING RESUMED**

The Bill:

S. 20. To amend Section 36-29-10, Code of Alabama 1975, which provides for the election of retired state employees, and retired teachers to continue coverage under the group insurance plan by the deduction of premiums for such coverage from their monthly benefit payments, so as to allow the state to assume a portion of the cost.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Senators:	Covington	Hand	Parsons	
Aldridge	deGraffenried	Langford	Sanders	
Bailey	Dial	Little	Smith (J)	
Barron	Ellis	Menton	Strong	
Bedford	Foshee	Mitchem	Teague	—19

Nays:

—0

**RESOLUTION**

Senators Barron and Mitchem offered the following Senate Joint Resolution, to-wit:

S. J. R. 77. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE PARKS.

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint

interim legislative committee to study the Alabama state parks. The committee shall be composed of three members of each house, to be appointed by the presiding officer of each house. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee. The committee shall study all facets of our state park system including but not limited to the maintenance of existing facilities.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the legislature not later than the second legislative day of the 1985 Regular Session. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total expenditures of the committee shall not exceed \$7,500.00. The committee shall have subpoena power.

On motion of Senator Barron, the Rules were suspended and the Resolution was adopted by the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 72. To create and establish a Natural Heritage Program in the State Parks Division of the Alabama Department of Conservation and Natural Resources; to provide for the primary purposes and location of the Natural Heritage Program; to define the responsibilities and duties of the Natural Heritage Program staff; to create a Natural Areas Advisory Committee and its duties and responsibilities; to provide for a registry of natural areas and a process for registration and rescission of registrations; to provide for public access to registered areas; to create the Alabama Natural Heritage Trust Commission and its duties and responsibilities; to create an Alabama Natural Heritage Trust and provide for the composition and substantive terms thereof; to provide for the management of said trust; to provide for limited circumstances in which condemnation of any property in said trust may occur; to provide for the promulgation of rules and regulations pursuant to this act and penalties thereof; to provide for funding requests in annual budgets for costs and operating expenses; to provide for the expenditure of trust assets and income; to define the protective provisions of this act; to provide for the sale and issuance of use permits for heritage preserves, and to provide for user or subscription fees for natural area inventory information and protection of said information; and to provide for advertisement of and solicitation of donations to the Alabama Natural Heritage Program.

WHEREAS, the Alabama Legislature finds that as a part of the continuing growth of the population and development of the economy of the State it is necessary and desirable that portions of the State's rich natural and cultural diversity be set aside as heritage preserves and sites and protect it for the benefit of present and future generations, for once disturbed they cannot be wholly restored; and

WHEREAS, such areas and features are irreplaceable as laboratories for scientific research; as reservoirs of natural materials for which the value and usefulness thereof is not yet fully known; as habitats for rare and vanishing species; and as living museums where people may observe natural biotic and environmental systems and as areas for study and enjoyment as examples of the lands, structures and related artifacts which represent significant parts of our natural and cultural heritage; and

WHEREAS, a number of independent and differing efforts, both private as well as public, have been initiated to protect some of these assets, a coordinated and concerted program is needed in order to avoid duplication and/or conflict among these and other valuable activities and to insure the maximum conservation of these resources through the establishment of a more effective and adequate official legal mechanism for identifying and recognizing and protecting such areas for their outstanding characteristics; and

WHEREAS, it is necessary and desirable to coordinate and share natural heritage information with the other southeastern states; now, therefore, having been postponed subject to the call of the Chair on the Fifth Legislative Day, was again taken up.

And said Bill, S. B. 72, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Menton
Aldridge	Corbett	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Langford	Smith (J)
Bedford	Dial	Little	Teague
Bennett	Ellis		

—21

Nays: —0

The Bill:

S. 44. To amend Section 36-1-6.1, Code of Alabama 1975, as amended, to allow a phase in period for employee liability insurance.

having been postponed subject to the call of the Chair on the Fifth Legislative Day, was again taken up.

And said Bill, S. B. 44, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Ellis	Parsons
Aldridge	Corbett	Foshee	Sanders
Bailey	Covington	Goodwin	Smith (J)
Bennett	deGraffenried	Langford	Teague
Bishop	Denton	Little	

—18

Nays: —0

The Bill:

S. 77. To amend §15-22-27 to provide that an inmate whose death sentence was imposed under a statute providing life imprisonment without parole as an alternative punishment for the capital offense shall serve a sentence of life imprisonment without parole if his death sentence is so commuted by the Governor; and to specify the sentences to which this Act applies; to provide what shall be the effect of any holding that such a limitation on parole is ineffective or invalid; and to specify the effective date of this Act.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Menton
Aldridge	Cabaniss	Foshee	Parsons
Bailey	Covington	Goodwin	Smith (J)
Bedford	deGraffenried	Hand	Teague
Bennett	Denton	Little	—18

Nays: —0

The Bill:

S. 68. Providing a supplement to the salaries of the circuit judges and district attorney of the 12th judicial circuit to be paid in equal parts by the counties composing the circuit.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Langford
Aldridge	Cabaniss	Foshee	Little
Bedford	Covington	Goodwin	Menton
Bedsole	deGraffenried	Hand	Teague
Bennett	Denton	Holmes	—18

Nays: —0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Reps. Hooper, Holmes, Starr, Mikell, McKee, and Buskey (John):

H. 217. This bill exempts all cerebral palsy chapters from the payment of all state, county and municipal sales and use taxes.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message

from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 217. To the Committee on Rules.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 88. To provide further for the Alabama Emergency Management Act, Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 20, 21, 22 and 24 of Chapter 9, Title 31, Code of Alabama 1975, so as to include certain other causes of emergencies other than those resulting from hostile military action, to encourage counties and other political subdivisions to assist in emergency management programs and to authorize state grants thereto for such programs, to provide for the appointment of directors for local organizations which aid in emergency management; to authorize political subdivisions to evacuate civilians during emergencies, to provide further for penalties for violations of said Chapter 9; and to provide continuing annual appropriations for certain emergency management programs at the governor's discretion.

was taken up.

Senator Foshee offered the following amendment to the Bill, S. B. 88, to-wit:

### AMENDMENT TO S. B. 88

Amend Senate Bill No. 88 Page 25 Line 5, by inserting after the word "annually" the word "conditionally"

Further amend S. B. 88 page 25 line 16 by striking out the word "absolute" and inserting in lieu thereof the word "conditional"

Further amend S. B. 88 page 2 line 9 by inserting after the word "continuing" by inserting the word "conditional"

Further amend Senate Bill 88 in the title, on page 2, line 9 by striking the words "~~continuing-annual~~" and inserting in lieu thereof the words "certain conditional".

Further amend the bill on page 18 by striking lines 23 through 29 and inserting in lieu thereof the following:

restrictions as shall be imposed. The governing body of the political subdivision is authorized to appoint a director, who shall have direct

Further amend the bill on page 19 by striking lines 20 through 22 and inserting in lieu thereof the following:

shall be subject to any existing civil service or merit system laws.

Further amend the bill on page 20 by striking line 13 and inserting in lieu thereof the following:

jurisdiction; and further may provide for the reception of

Further amend the bill on page 25 by striking lines 22 through 23 and inserting in lieu thereof the following:

31-9-10 hereof, of the state in amounts not to exceed the amounts expended, or to be expended, by

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Further amend the bill on page 26 by striking line 7 and inserting in lieu thereof the following:

state grants is that amount (50-50)

Further amend the bill on page 25, line 5 by deleting the word "annually".

Further amend the bill on page 25 by deleting lines 15 through 17 in their entirety.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Ellis	Little
Aldridge	Covington	Foshee	Mitchem
Bailey	deGraffenried	Goodwin	Strong
Bedford	Denton	Hand	Teague
Cooley	Dial	Langford	

—18

*Nays:* —0

And said Bill, S. B. 88, as thus amended, was read a third at length and passed, and ordered sent forthwith to the House.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Mitchem
Aldridge	Corbett	Goodwin	Sanders
Bailey	deGraffenried	Hand	Smith (J)
Bedford	Dial	Langford	Strong
Bedsole	Ellis	Little	Teague
Bennett			

—20

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 156. To provide that those officials authorized to issue motor vehicle license plates shall have the authority to require proof of payment of the Federal Heavy Motor Vehicle Excise Tax imposed by Title 26 U.S.C. §4481, in order to insure that the State of Alabama does not suffer any reduction in the State's share of federal highway funds as provided by Title 23 U.S.C. §141(d), and to prohibit the issuance of motor vehicle license plates to those motor vehicles having a taxable gross weight of 33,000 pounds or more until the applicant provides proof that the tax imposed by Title 26 U.S.C. § 4481, has been paid for the particular motor vehicle sought to be registered and licensed.

Also:

S. 89. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

JOHN W. PEMBERTON,  
Clerk.

### RESOLUTION

Senators Bedford, Barron, and Bailey offered the following Senate Joint Resolution, to-wit:

S. J. R. 78. CREATING A JOINT INTERIM COMMITTEE TO STUDY GAMING IN THE STATE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study all relevant aspects of gaming within the State of Alabama, including, but not limited to the imposition of a state lottery, the feasibility of a moratorium being placed on future gambling facilities, the establishment of a State Gambling Commission and all aspects of pari-mutuel wagering. Said committee shall be composed of 3 members to be appointed by the Speaker of the House of Representatives and two members to be appointed by the Lieutenant Governor.

The committee shall select from among its number a chairman, and shall meet upon the chairman's call. The committee shall report its findings and suggestions to the Legislature not later than the fifth (5th) legislative day of the 1985 Regular Session.

Members shall receive the normal legislative compensation, expense allowance and per diem for each day they meet, provided that they shall not be paid while the legislature is in session. It is also further provided that in no event shall the total expenses of the committee exceed \$7,000.00. The clerk of the house and secretary of the senate shall provide such materials and clerical help as are required for the committee to conduct its meetings.

Which was read and referred to the Standing Committee on Rules.

### BILL RE-REFERRED

Senator Mitchem, Chairperson of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following Bill, H. B. 143, and ordered same returned to the Senate with the recommendation that it be re-referred to another Committee.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 143, re-referred to the Standing Committee on Judiciary.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turnham:

H. 10. Relating to the Alabama Uniform Certificate of Title and Antitheft Act; to amend Section 32-8-41, Code of Alabama 1975, so as to eliminate the requirement of the state department of revenue to issue a non-transferable duplicate certificate of title for mailing to the owner to serve as



a permit for the operation of a motor vehicle; and to amend Section 32-8-38, Code of Alabama 1975, so as to provide that the owner's permit copy of the application for certificate of title be retained by the owner as a nonnegotiable document as evidence of ownership and as a permit for the operation of a motor vehicle in order to eliminate the use of a form that duplicates the effects of another form.

Also:

By Rep. White (F):

H. 12. To amend Section 41-5-19 of the Code of Alabama 1975, so as to further provide that members of the Legislative Committee on Public Accounts shall receive their legislative pay and expense allowance and mileage for each meeting of the Committee.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 10 and 12. To the Committee on Rules.

### BILLS ON THIRD READING RESUMED

The Bill:

S. 135. To amend Section 9-14-27, Code of Alabama 1975, as last amended, relating to length of term of concession contracts, so as to extend the allowable term for state park concession contracts from six to ten years and the maximum term where major expenditures are made by concessionaire from twelve to twenty years.

was taken up.

On motion of Senator Bailey, further consideration of the Bill, S. B. 135, was postponed subject to the call of the Chair.

The Bill:

S. 149. TO AMEND SECTION 11-81-11 OF THE CODE OF ALABAMA 1975, TO PROVIDE THAT THE SALE OF COUNTY AND MUNICIPAL BONDS MAY, BY NEGOTIATED SALE, IF THE GOVERNING BODY OF THE COUNTY OR MUNICIPALITY SHALL DETERMINE THAT SUCH SALE IS DESIRABLE TO GAIN THE LOWEST NET INTEREST COST.

was taken up.

On motion of Senator Cabaniss, further consideration of the Bill, S. B. 149, was postponed subject to the call of the Chair.

The Bill:

S. 52. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court may preclude the necessity for a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority

over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts upon conviction in the adult court; and, to provide an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bishop	Ellis	Menton	
Aldridge	Cabaniss	Foshee	Parsons	
Bailey	Cooley	Goodwin	Sanders	
Bedsole	Covington	Hilliard	Teague	
Bennett	deGraffenried	Little		—18

Nays: —0

The Bill:

S. 45. To amend Section 28-6-1, Code of Alabama 1975, which provides for the definition of a native farm winery, so as to provide further for said definition.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

Yeas:

Senators:	Bennett	Ellis	Little	
Aldridge	Cabaniss	Foshee	Parsons	
Bailey	Cooley	Goodwin	Sanders	
Bedford	Covington	Hilliard	Teague	
Bedsole	Denton	Langford		—18

Nays: —0

### FURTHER CONSIDERATION OF S. B. 149

The Senate proceeded to further consideration of the Bill, S. B. 149.

And said Bill, S. B. 149, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 2.

Yeas:

Senators:	Bennett	Hilliard	Parsons	
Aldridge	Cooley	Langford	Sanders	
Bailey	Covington	Menton	Smith (J)	
Bedford	Denton	Mitchem	Teague	
Bedsole	Goodwin			—17

Nays:

Senators:	Ellis	Little	—2
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### BILLS ON THIRD READING RESUMED

The Bill:

S. 123. To protect, preserve, maintain, and enhance the scenic, recre-

ational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.

was taken up.

On motion of Senator Goodwin, further consideration of the Bill, S. B. 123, was postponed subject to the call of the Chair.

The Bill:

S. 134. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this Act.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, S. B. 134, to-wit:

#### AMENDMENT TO S. B. 134

Amend Senate Bill 134 on page 2, line 14 by deleting the period after 1975 and adding the following:

“punishable by a fine of not less than seventy-five dollars.”

Further amend Senate Bill 134 on page 2, line 15 by deleting the period after 1975 and adding the following:

“punishable by a fine of not less than two hundred dollars.”

Which was adopted.

Yeas 14; Nays 1.

Yeas:

Senators:	Cabaniss	Goodwin	Menton	
Aldridge	Cooley	Hilliard	Parsons	
Bedsole	Ellis	Langford	Teague	
Bennett	Foshee	Little		—14

Nay: Senator Denton —1

The Standing Committee on Judiciary then reported the following amendment No. 2 to the Bill, S. B. 134, as amended, to-wit:

#### AMENDMENT TO S. B. 134, AS AMENDED

Amend Senate Bill 134 on page 2, line 10 by adding after the period the following language: “Proper proof shall include any of the following;

1. A current liability policy.

2. Photocopy of the policy.

3. A written instrument issued by the insurer showing the name of the insured, policy number, policy period, policy limits or a statement that the

policy satisfies the requirements of the Alabama Motor Vehicle Safety Responsibility Act.

4. A binder issued by the insurer showing the above information.

5. A certification from the Alabama Department of Public Safety showing the car was self insured under that department's rules and regulations."

Which was adopted.

Yeas 16; Nays 2.

*Yeas:*

Senators:	Cooley	Hilliard	Mitchem
Aldridge	Ellis	Langford	Parsons
Bedsole	Goodwin	Little	Strong
Bennett	Hand	Menton	Teague
Cabaniss			

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*Nays:*

Senators:	Barron	Bedford
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#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 71. To amend Sections 2-15-131 and 2-15-133, Code of Alabama 1975, relating to the Livestock Dealers' Financial Responsibility Act, so as to include catfish in the definition of livestock and to provide when payment of purchase of catfish is to be made by the dealer.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 25. CREATING INTERIM COMMISSIONS TO ASSESS THE STATE'S EDUCATIONAL NEEDS IN THE AREA OF HIGH TECHNOLOGY.

Also:

H. J. R. 46. HONORING THE LATE JOSEPH ELLY DANIEL FOR OUTSTANDING CONTRIBUTIONS TO THE SCHOOLS AND STUDENTS OF CHILTON COUNTY, ALABAMA.

Also:

H. J. R. 52. CONGRATULATING MR. AND MRS. PAT BUNN ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY.

Also:

H. J. R. 54. COMMENDING MR. THOMAS E. FULLER FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 59. CONGRATULATING MR. AND MRS. MIKE MIKELL ON THE BIRTH OF A DAUGHTER, KIMBERLY DELAINE.

Also:

H. J. R. 61. To create and establish a Joint Interim Committee on Municipal Government of the Legislature of Alabama.

Also:

H. J. R. 62. COMMENDING DR. J. MAURICE PERSALL, VESTAVIA HILLS, ON BEING SELECTED AS PTA SUPERINTENDENT OF THE YEAR 1983-1984.

Also:

H. J. R. 63. COMMENDING MISS GINGER MARIE HILL OF VESTAVIA HILLS, MISS ALABAMA NATIONAL TEEN-AGER FOR 1984.

Also:

H. J. R. 64. COMMENDING COLIN LUKE OF JEFFERSON COUNTY.

Also:

H. J. R. 68. COMMENDING THE LEE HIGH CONFEDERETTES, HUNTSVILLE, ALABAMA, FOR OUTSTANDING ACCOMPLISHMENT.

Also:

H. J. R. 69. COMMENDING THE LEE HIGH "OUR BOYS QUARTET," HUNTSVILLE, ALABAMA.

Also:

H. J. R. 72. WELCOMING TO ALABAMA, IN COMMENDATION, MR. GERALD M. CZARNECKI.

Also:

H. J. R. 76. COMMENDING PINSON VALLEY HIGH SCHOOL, STATE WRESTLING CHAMPIONS FOR 1983-1984.

Also:

H. J. R. 77. COMMENDING KEITH D. BLAYNEY, Ph.D., DEAN OF THE SCHOOL OF COMMUNITY AND ALLIED HEALTH AT THE UNIVERSITY OF ALABAMA IN BIRMINGHAM.

Also:

H. J. R. 78. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL BASEBALL TEAM, 1984 JEFFERSON COUNTY BASEBALL CHAMPIONS.

Also:

H. J. R. 86. HONORING MISS BLANCHE V. SIMMONS UPON

HER RETIREMENT FOLLOWING 28 YEARS AS BAND DIRECTOR  
AT FAIRHOPE HIGH SCHOOL.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### **MESSAGE FROM THE HOUSE**

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 89. MOURNING THE DEATH OF MRS. VERA ISBELL BECK OF FORT PAYNE, ALABAMA.

Also:

H. J. R. 90. COMMENDING U. S. ARMY VETERAN NEAL MORROW OF FYFFE, ALABAMA, FOR EXTRAORDINARY COURAGE.

Also:

H. J. R. 91. COMMENDING THE TROY STATE BASEBALL TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 92. COMMENDING THE TROY STATE UNIVERSITY TRACK TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 93. COMMENDING THE TROY STATE LADY TROJAN GOLF TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 94. COMMENDING THE TROY STATE TROJANS GOLF TEAM ON ITS OUTSTANDING SEASON.

Also:

H. J. R. 101. COMMENDING MR. AND MRS. WALTER ODATUS LECROY ON THEIR 50TH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF RESOLUTIONS**

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

**FURTHER CONSIDERATION OF S. B. 134**

The Senate proceeded to further consideration of the Bill, S. B. 134, as amended.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 65. To amend Section 3-1-29 of the Code of Alabama 1975, which section prohibits certain activities relating to fighting of dogs, so as to provide further for procedures relating to such prohibited activities.

Also:

S. 82. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

Also:

S. 9. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license plate of a vehicle or an engine, so as to provide for the forfeiture and condemnation of certain items seized pursuant to this section.

JOHN W. PEMBERTON,  
Clerk.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 88. To provide further for the Alabama Emergency Management Act, Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 17, 18, 20, 21, 22 and 24 of Chapter 9, Title 31, Code of Alabama 1975, so as to include certain other causes of emergencies other than those resulting from hostile military action, to encourage counties and other political subdivisions to assist in emergency management programs and to authorize state grants thereto for such programs, to provide for the appointment of directors for local organizations which aid in emergency management; to authorize political subdivisions to evacuate civilians during emergencies, to provide further for penalties for violations of said Chapter 9; and to provide certain conditional appropriations for certain emergency management programs at the governor's discretion.

CHARLES BISHOP,  
Chairperson.

**FURTHER CONSIDERATION OF S. B. 134**

The Senate proceeded to further consideration of the Bill, S. B. 134, as amended.

**REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 16  
S. B. 3  
S. B. 7  
S. B. 11  
S. B. 25  
S. B. 26  
S. B. 27  
S. B. 28  
S. B. 95  
S. B. 106

Delivered to the Governor, June 5, 1984, at 2:45 P.M.

McDOWELL LEE,  
Secretary of Senate.

**SECRETARY'S REPORT**

The foregoing report of the Secretary was read and ordered spread upon the Journal.

**ADJOURNMENT**

At 5:20 P.M., on motion of Senator Denton, pending further consideration of the Bill, S. B. 134, the Senate adjourned until Wednesday, June 6, 1984, at 11 o'clock A.M.



**EIGHTH LEGISLATIVE DAY**

**WEDNESDAY, JUNE 6, 1984**

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

**PRAYER**

The Session was opened with prayer by Dr. Calvin Kelly, Associate Pastor, Ridgecrest Baptist Church, Montgomery, Alabama.

**PLEDGE OF ALLEGIANCE**

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Brant Phillips, Vestavia Hills High School, Birmingham, Alabama.

**ROLL CALL**

Present:

Senators:	Cabaniss	Figures	Menton
Aldridge	Cooley	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Sanders
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Langford	Strong
Bennett	Drinkard	Little	Teague
Bishop	Ellis		

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**JOURNAL**

On motion of Senator deGraffenried, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

**COMMITTEE REPORT**

On motion of Senator Bishop, the foregoing report was concurred in and the Journal of the Senate for the Seventh Legislative Day was approved by the Senate.

**LEAVE OF ABSENCE**

On motion of Senator deGraffenried, leave of absence was granted Senators Dixon and Pearson for today.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Rep. Turner:

H. 46. To provide authority for the governing body of any Class 2 municipality covered by the Employees' Retirement System of Alabama, with the consent of the Board of the Employees' Retirement System of Alabama, to provide credit for the prior service of new employees to the extent of their prior service with public employers eligible for coverage under the Employees' Retirement System of Alabama, to provide for special membership service, to define prior service and to provide procedures.

Also:

By Reps. Tanner and Fuller:

H. 164. To amend the title, all sections and all references of the Alabama Workmen's Compensation Law, Code of Alabama 1975 Sections 25-5-1 et seq., to change it to the Alabama Workers' Compensation Law.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

The House Bills, the titles of which are set out in the foregoing Message from the House, were read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 46 and 164. To the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 15. To amend Section 40-20-2, Code of Alabama 1975, so as to provide certain exemptions for occluded natural gas produced from coal seams and to provide for an expiration date.

JOHN W. PEMBERTON,  
Clerk.

**RESOLUTION**

Senator Denton offered the following Senate Joint Resolution, to-wit:

S. J. R. 79. RELATIVE TO THE PRINTING OF THE ACTS AND JOURNALS OF 1984.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the acts and journals of this Special Session and any other Special Session in 1984, be bound separate from the Regular Session of 1984.

On motion of Senator Denton, the Rules were suspended and the Resolution was adopted by the Senate.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Buskey (John) and Buskey (James):

H. J. R. 119. HONORING JOE P. McCALL OF MONTGOMERY, ALABAMA.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

On motion of Senator Langford, the Rules were suspended and the Resolution, H. J. R. 119, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

**REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 1. To amend Section 16-13-190 of the Code of Alabama 1975 so as to validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of such tax in the consolidated district resulting from such consolidation.

Also:

S. 17. To provide for the establishment of the Special Services Division of the District Attorney's Office of each Judicial Circuit and further establish a unit for the expedient treatment of worthless checks.

Also:

S. 32. To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

Also:

S. 34. To amend Section 17-4-156, Code of Alabama 1975, relating to the meeting days of the boards of registrars, so as to increase Dale County's board of registrars meeting days.

Also:

S. 5. To amend the "Alabama Environmental Management Act," the "Alabama Air Pollution Control Act of 1971," as amended, and the "Alabama Safe Drinking Water Act of 1977," as amended, specifically amending sections 22-22A-5, 22-22A-11, and 22-23-39, Code of Alabama 1975, as amended, and repealing section 22-25-10, Code of Alabama 1975, as amended, so as to authorize the Alabama Department of Environmental Management (ADEM) to establish procedures for the collection of fees from applicants for permits, licenses, certifications or variances, such fees to be

based on the reasonable anticipated cost to ADEM of the examination and processing of applications, plans, specifications or other data, investigations and public hearings for the issuance, reissuance, modification or denial of any permit, license, certification or variance; to authorize ADEM to recover from a violator the actual costs reasonably incurred by ADEM to prevent, minimize or abate any adverse effect on air, land or water resources which results or may result from a violation of a law, rule or regulation, or a permit, certification or variance issued by ADEM; to require the suppliers of drinking water to reimburse ADEM for the reasonable anticipated cost of bacteriological, sanitary and chemical analysis required to be performed under the "Alabama Safe Drinking Water Act of 1977;" and to appropriate all moneys deposited in the Alabama Department of Environmental Management Fund to the use of ADEM.

Also:

S. 35. To provide methods and procedures to be used for boll weevil eradication in cotton; to provide definitions; to allow entering into cooperative agreements; to allow inspections of premises; to require reports; to allow the establishments of quarantines and elimination zones and to provide for treatment of cotton in elimination zones to include destruction; to allow adoption of rules and regulations and penalties for their violation; to provide for certification of a cotton growers organization and for a referendum to be conducted by said organization; to provide for assessments to be paid by growers and penalties for failure to pay assessments; to provide for the promulgation of regulations.

Also:

S. 55. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, Code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill Furnace and Foundry Commission, so that such employees would be covered by workmen's compensation.

Also:

S. 63. Relating to exempt property and allowances under the Probate Code; to permit employers to pay to the surviving spouse or to a person with custody over surviving children any wages or salary due an employee who dies intestate, said sum being considered a part of other exempt property and allowances.

Also:

S. 67. To amend Section 41-4-50 of the Code of Alabama 1975, relating to the division of control and accounts of the department of finance so as to authorize by approval of the payee any state warrant to be deposited in or electronically transferred to any financial institution with this capability.

Also:

S. 89. To make an additional appropriation for salaries and other expenses of the legislature for the fiscal year ending September 30, 1984.

Also:

S. 91. To amend Section 11-46-23, Code of Alabama, 1975, relating to adjusting election ward lines, so as to provide for certain adjustments made to comply with the Voting Rights Act of 1965; and to amend Section 11-43-2 and 11-43-80 of the Code of Alabama 1975, relating to the power and

duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

Also:

S. 92. To repeal Section 12-13-52, Code of Alabama 1975, which section fines probate judges for the appointment of certain persons as guardians ad litem.

Also:

S. 101. To amend Sections 34-11-2, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-13, 34-11-15, 34-11-32, and 34-11-35 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors, so as to regulate further such registration and the fees therefor; to provide for the issuance of certificates of authorization to certain corporations, partnerships or firms practicing engineering or land surveying; and to regulate further the compensation of members of the board of registration for professional engineers and land surveyors, and to provide for corporate practice.

Also:

S. 133. To amend Sections 15-12-20, 15-12-21, 15-12-22 and 15-12-24 of the Code of Alabama 1975, relating to defense of indigents, so as to provide further for representation of indigents; and to provide further for the compensation of counsel and reimbursement for expenses incurred; to authorize the state comptroller to withdraw certain amounts from the fair trial tax fund to cover the expense of administering indigent defense; and to amend Section 12-19-252 of the Code of Alabama 1975, so as to further provide for annual appropriations from the fair trial tax fund to pay the withdrawals of the state comptroller.

Also:

S. 153. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Also:

S. 156. To provide that those officials authorized to issue motor vehicle license plates shall have the authority to require proof of payment of the Federal Heavy Motor Vehicle Excise Tax imposed by Title 26 U.S.C. §4481, in order to insure that the State of Alabama does not suffer any reduction in the State's share of federal highway funds as provided by Title 23 U.S.C. §141(d), and to prohibit the issuance of motor vehicle license plates to those motor vehicles having a taxable gross weight of 33,000 pounds or more until the applicant provides proof that the tax imposed by Title 26 U.S.C. §4481, has been paid for the particular motor vehicle sought to be registered and licensed.

Also:

S. 31. To propose an amendment to the Constitution of Alabama 1901, relating to the eradication or control of the boll weevil in cotton; allowing the Legislature, by general law, to provide for assessment of levies,

financing, collection, distribution and expenditure of funds by a designated non-profit organization for the sole purpose of eradicating or controlling the boll weevil.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 9. To amend Section 32-8-86, Code of Alabama 1975, relating to the removal or falsification of an identification number, registration or license plate of a vehicle or an engine, so as to provide for the forfeiture and condemnation of certain items seized pursuant to this section.

Also:

S. 65. To amend Section 3-1-29 of the Code of Alabama 1975, which section prohibits certain activities relating to fighting dogs, so as to provide further for procedures relating to such prohibited activities.

Also:

S. 71. To amend Sections 2-15-131 and 2-15-133, Code of Alabama 1975, relating to the Livestock Dealers' Financial Responsibility Act, so as to include catfish in the definition of livestock and to provide when payment of purchase of catfish is to be made by the dealer.

Also:

S. 82. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### REPORTS OF COMMITTEES

Senator Langford, Chairperson of the Standing Committee on Governmental Affairs, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Rep. Butler:

H. 86. To amend Section 17-4-156 of the Code of Alabama 1975, relating to sessions of boards of registrars and working days for such boards, so as to provide that such sessions and working days shall be based on the fiscal year beginning October 1, 1984, and thereafter.

Senator Aldridge, Chairperson of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Reps. Hooper, Harper, Butler, Kvalheim, Starr, Gaston, McMillan, Marietta, Seibels, Coleman, Warren, Brooks, Grouby, Mikell, Flowers, Browder, Richardson, Blake, Cosby, Crow, Dutton, Mitchell, Zoghby, Clark (D), Buskey (John), Lindsey, Blakeney, Moore, Hettinger, Bugg, Britnell, Trammell, Gray, Beers, White (G), Perdue, Melton, Spratt, Horn, Davis, Escott, Rogers, Tanner, Preuitt, McKee, Rice, Bachus, Boles, Rains, Box, Laird, Buskey (James), Clark (W), Kennedy, Penry, Onderdonk, and Pratt:

H. 194. To require persons who have any financial interest in any hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

## RESOLUTIONS

Senators deGraffenried, Ellis, Teague, Corbett, Bedsole, Little, Cooley, Menton, Aldridge, Amari, Bailey, Barron, Bedford, Bennett, Bishop, Cabaniss, Covington, Denton, Dial, Dixon, Drinkard, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), and Strong offered the following Senate Joint Resolution, to-wit:

S. J. R. 80. ESTABLISHING A LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY PROPOSED CO-EMPLOYEES' LAWSUITS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a joint interim study committee on proposed co-employees' lawsuits which shall be a committee to make a study of any and all aspects of workmen's compensation laws, co-employees' lawsuits and industrial expansion, economic growth and development, and jobs in the state, as these relate to co-employees' lawsuits, hold hearings and inquire into ways and means of improving conditions in the aforementioned areas. The committee shall make a report to the legislature on the first legislative day of the next session of the legislature, special or regular.

BE IT FURTHER RESOLVED, That the committee shall be composed of five members of the Senate, appointed by the presiding officer and five members of the House of Representatives, appointed by the Speaker. The committee shall set its own rules of procedure and elect a chairman and co-chairman from among its members. Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each member of the committee shall be entitled to his regular legislative compen-

sation, his per diem and travel expenses for each day he attends a meeting of the committee, which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman. Total expenditures of the committee shall not exceed \$7,500.00.

On motion of Senator deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

Senator Teague offered the following Senate Resolution, to-wit:

**S. R. 81. COMMENDING MISS LISA JONES OF SYLACAUGA, ALABAMA.**

Which was adopted.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

**S. R. 59. COMMENDING DR. GRADY L. BAKER.**

Also:

**S. R. 61. COMMENDING DR. JOSEPH CLYDE DOWDLE FOR OUTSTANDING CONTRIBUTIONS TO THE UNIVERSITY OF ALABAMA-HUNTSVILLE AND TO THE HUNTSVILLE COMMUNITY.**

Also:

**S. R. 60. COMMENDING DR. ROBERT RICHARDS, PROMINENT HUNTSVILLE, ALABAMA, CHIROPRACTOR.**

Also:

**S. R. 62. COMMENDING MR. JAMES MICHAEL SEGREST FOR OUTSTANDING SERVICE TO THE HUNTSVILLE COMMUNITY.**

On motion of Senator Cooley, the Resolutions were then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

**H. J. R. 113. COMMENDING MR. NORBERT HERSHAEL WILLIAMS FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.**

Also:

**H. J. R. 112. COMMENDING MISS OLIVIA TURNER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.**

Also:

**H. J. R. 107. NAMING S. B. 17 OF THE 1984 FIRST SPECIAL SESSION, THE "HOLMES-LAIRD ACT."**



Also:

H. J. R. 111. COMMENDING MISS CHRISTELLA MOORER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

H. J. R. 109. CREATING A SELECT JOINT COMMITTEE TO STUDY AND REVIEW ALL REGULATIONS, POLICIES AND PROCEDURES OF ALL WELFARE, INCLUDING OLD AGE PENSION PROGRAMS, MEDICAID AND SOCIAL PROGRAMS FUNDED OR ADMINISTERED BY THE STATE OF ALABAMA, FOR THE PURPOSE OF RECONSTRUCTING SAME TO ELIMINATE ABLE-BODIED, AND THEREFORE INELIGIBLE, RECIPIENTS OF PUBLIC FUNDS.

Also:

H. J. R. 99. LEGISLATIVE INTENT RELATIVE TO ACT NOS. 84-441 AND 84-429, REGULAR SESSION 1984, RELATING TO JACKSON COUNTY ECONOMIC DEVELOPMENT BOARD.

Also:

H. J. R. 53. DIRECTING THAT THE STATUE OF GOVERNOR LURLEEN WALLACE BE RETURNED TO THE ROTUNDA FOLLOWING CAPITAL RENOVATION.

Also:

H. J. R. 110. COMMENDING MISS ANNE MARIA SCOTT FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

On motion of Senator Cooley, the Resolutions were then concurred in and adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Ernest Todd to the Savings and Loan Board.

On motion of Senator Bedsole, the appointment of Mr. Todd was confirmed by the Senate.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Smith (B)
Aldridge	Cooley	Langford	Smith (J)
Bailey	deGraffenried	Little	Strong
Bedsole	Dial	Mitchem	Teague
Bennett	Foshee	Parsons	

—18

Nays: —0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Tillman Hill to the Alabama Housing Finance Authority.

On motion of Senator Smith (B), the appointment of Mr. Hill was confirmed by the Senate.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Figures	Parsons
Aldridge	Corbett	Foshee	Smith (B)
Bailey	deGraffenried	Goodwin	Smith (J)
Bedsole	Denton	Little	Strong
Bennett	Drinkard	Mitchem	Teague
Cabaniss			

—20

*Nays:*

—0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Henry A. Leslie to the State Oil and Gas Board.

On motion of Senator Langford, the appointment of Mr. Leslie was confirmed by the Senate.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Parsons
Aldridge	Denton	Hand	Smith (B)
Bedsole	Dial	Langford	Smith (J)
Bennett	Drinkard	Little	Strong
Cabaniss	Foshee	Mitchem	Teague
Cooley			

—20

*Nays:*

—0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. James A. Martin, Sr. to the State Athletic Commission.

On motion of Senator Corbett, the appointment of Mr. Martin was confirmed by the Senate.

Yeas 22; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons
Aldridge	Corbett	Goodwin	Smith (B)
Bedford	deGraffenried	Hand	Smith (J)
Bedsole	Denton	Langford	Strong
Bennett	Dial	Little	Teague
Cabaniss	Figures	Mitchem	

—22

Nays:

—0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mrs. Emma Hutcherson to the University of South Alabama Board of Trustees.

On motion of Senator Foshee, the appointment of Mrs. Hutcherson was confirmed by the Senate.

Yeas 21; Nays 0.

Yeas:

Senators:	Cooley	Hand	Sanders
Aldridge	Denton	Langford	Smith (B)
Bedford	Dial	Little	Smith (J)
Bedsole	Figures	Mitchem	Strong
Bennett	Foshee	Parsons	Teague
Cabaniss	Goodwin		

—21

Nays:

—0

### RESOLUTION

Senator Hand offered the following Senate Resolution, to-wit:

S. R. 82. COMMENDING THE REVEREND JAMES A. GRIFFIN, JUNIOR, PASTOR OF GULF SHORES UNITED METHODIST CHURCH.

Which was adopted.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. W. Troy Massey to the Alabama A & M University Board of Trustees.

On motion of Senator Langford, the appointment of Mr. Massey was confirmed by the Senate.

Yeas 19; Nays 0.

Yeas:

Senators:	Cooley	Foshee	Mitchem
Aldridge	deGraffenried	Goodwin	Parsons
Bedsole	Denton	Hand	Smith (B)
Bennett	Drinkard	Langford	Smith (J)
Cabaniss	Figures	Little	Teague

—19

Nays:

—0

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following Gover-

nor's appointments and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Mr. Fred Davis, Mr. Tom R. Barkley, and Mr. Fred Sington to the State Athletic Commission.

On motion of Senator Hand, the appointment of Mr. Davis was confirmed by the Senate.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cooley	Foshee	Parsons	
Aldridge	Corbett	Goodwin	Sanders	
Bedsole	deGraffenried	Hand	Smith (J)	
Bennett	Dial	Little	Strong	
Cabaniss	Drinkard	Mitchem	Teague	—19

*Nays:* —0

On motion of Senator Cooley, the appointment of Mr. Barkley was confirmed by the Senate.

Yeas 20; Nays 0.

*Yeas:*

Senators:	Cooley	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	deGraffenried	Langford	Smith (B)	
Bedsole	Drinkard	Little	Smith (J)	
Bennett	Foshee	Menton	Teague	
Cabaniss				—20

*Nays:* —0

On motion of Senator Cooley, the appointment of Mr. Sington was confirmed by the Senate.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Mitchem	
Aldridge	Cooley	Goodwin	Parsons	
Amari	Corbett	Hand	Smith (J)	
Bedsole	deGraffenried	Little	Teague	
Bennett	Drinkard	Menton		—18

*Nays:* —0

## RESOLUTION

Senator Hand offered the following Senate Joint Resolution, to-wit:

S. J. R. 83. COMMENDING THE REVEREND JAMES A. GRIFFIN, JUNIOR, PASTOR OF GULF SHORES UNITED METHODIST CHURCH.

WHEREAS, the return, this year, of the Reverend James A. Griffin, Junior, to Gulf Shores United Methodist Church marks his 13th year of service to the South Baldwin area of our State; and

WHEREAS, a native of Hamden Ridge, Alabama, the Reverend Griffin

was educated at the University of Alabama, Tuscaloosa, and at Emory University in Atlanta, Georgia; he is a United States Army Air Corps veteran who as a captain flew 25 combat missions in the Pacific Theatre during World War II; and

WHEREAS, the Reverend Griffin has served in the ministry since 1951, including his thirteen years as pastor of the Gulf Shores Church; and

WHEREAS, the Reverend Griffin is the recipient of the Governor's Award for Service, bestowed for his tireless efforts during the clean-up operations, in 1979-1980, following Hurricane Frederic; and

WHEREAS, in a generous and compassionate gesture, the Reverend Griffin opened the doors of his church, and volunteered its facilities for use as a command post for coordination of the clean-up operations; and

WHEREAS, it further was through his leadership, in strong faith, that the citizens of South Baldwin County were able to recover, not only from their personal losses, but more importantly were helped to dispel their feelings of despair and helplessness; and

WHEREAS, the Reverend Griffin also has been actively involved in service through membership on the executive board of the Gulf Coast Area Chamber of Commerce, as a member of the Optimist and Rotary Clubs, and as a former member of the United Methodist Children's Home in Selma; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES CONCURRING, That we hereby most highly commend the Reverend James A. Griffin, Junior, of Gulf Shores First United Methodist Church and direct that he receive a copy of this resolution in small token of our warmest regard.

On motion of Senator Hand, the Rules were suspended and the Resolution was adopted by the Senate.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's appointment and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Mr. Wayne A. Dean to the Alabama A & M University Board of Trustees.

On motion of Senator Figures, the appointment of Mr. Dean was confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Senators:	Cooley	Figures	Little
Aldridge	Corbett	Goodwin	Menton
Amari	deGraffenried	Hand	Mitchem
Bedsole	Denton	Hilliard	Parsons
Bennett	Dial	Langford	Teague
Cabaniss			

—20

Nays:

—0

**RESOLUTION**

Senator Amari offered the following Senate Resolution, to-wit:

**S. R. 84. MOURNING THE DEATH OF VERBON E. CRANE OF KIMBERLY, ALABAMA.**

Which was adopted.

**BILLS ON THIRD READING**

Senator Bedford requested and received permission to suspend the Rules in order to bring up the Bill:

S. 58. To amend Section 9-2-107, Code of Alabama 1975, relating to the State Park Revolving Fund, so as to provide that up to 2% of the receipts of said fund may be reserved each year for use in major repair and maintenance service of land, buildings, and permanent equipment fixed assets; and capital improvements or alteration to land, buildings, or permanent equipment.

And said Bill, S. B. 58, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 0.

Abstaining 1.

*Yeas:*

Senators:	Cooley	Foshee	Sanders	
Aldridge	Corbett	Goodwin	Smith (B)	
Amari	deGraffenried	Hilliard	Smith (J)	
Bedford	Denton	Menton	Strong	
Bennett	Figures	Mitchem	Teague	
Cabaniss				—20

*Nays:* —0

*Abstaining:* Senator Parsons —1

Senator Teague requested and received permission to suspend the Rules in order to bring up the Bill:

S. 18. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician licensed to practice medicine, chiropractor, orthodontist or podiatrist in the performance of his professional services from any city, county and state sales tax.

And said Bill, S. B. 18, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Hilliard	Smith (B)	
Aldridge	deGraffenried	Holmes	Smith (J)	
Amari	Denton	Langford	Strong	
Bennett	Foshee	Parsons	Teague	
Cooley	Hand	Sanders		—18

*Nays:* —0

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 15. To amend Section 40-20-2, Code of Alabama 1975, so as to provide certain exemptions for occluded natural gas produced from coal seams and to provide for an expiration date.

CHARLES BISHOP,  
Chairperson.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

## RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 85. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the eighth legislative day of the 1984 First Special Session only:

Inst Id		Page
H. 113	Annuity contracts, income tax treatment conform to federal law	36
H. 131	Public safety, identification cards for retarded persons	27
H. 25	Municipalities, election of mayor, duties, date may be alt. to comply with Voting Rights Act of 1965, Secs. 11-43-2 and 11-43-80 am'd.	29
H. 100	Shrine amusement and fund raising events, tax exemption, Sec. 40-9-13 am'd.	35

On motion of Senator Cooley, the Resolution was then adopted by the Senate.

## BILLS ON THIRD READING RESUMED

Senator Smith (B) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 106. To provide that each municipality in the State of Alabama shall have the authority to enter into binding option agreements with respect to any land held by it as the site of an industrial park, subject to certain conditions and limitations.

And said Bill, H. B. 106, was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Senators:	Cooley	Goodwin	Sanders	
Aldridge	Corbett	Hand	Smith (B)	
Bailey	Covington	Holmes	Smith (J)	
Bedford	Denton	Little	Strong	
Bennett	Dial	Menton	Teague	
Cabaniss	Foshee	Parsons		—22

Nays:

—0

**UNFINISHED BUSINESS**

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 134. To require all motor vehicle operators to have certain liability insurance coverage or financial security and to furnish proof of such coverage or security and to provide criminal sanctions for violating the provisions of this Act.

as amended.

Senator deGraffenried moved that further consideration of the Bill, S. B. 134, as amended, be postponed subject to the call of the Chair.

Senator Cabaniss moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 7; Nays 12.

Yeas:

Senators:	Bedsole	Drinkard	Parsons	
Aldridge	Cabaniss	Holmes	Teague	—7

Nays:

Senators:	Covington	Foshee	Menton	
Amari	deGraffenried	Hand	Sanders	
Bailey	Figures	Langford	Smith (B)	
Corbett				—12

The question recurred on the motion of Senator deGraffenried that further consideration of the Bill, S. B. 134, as amended, be postponed subject to the call of the Chair, which motion was adopted.

**SPECIAL ORDER**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 113. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401 (k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in *pari materia* with other law or parts of laws relating to income



tax exclusions except where there is a direct conflict; and to provide an effective date.

And said Bill, H. B. 113, was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Bedsole	Goodwin	Sanders	
Aldridge	Cabaniss	Hand	Smith (B)	
Amari	Corbett	Holmes	Smith (J)	
Bailey	deGraffenried	Langford	Teague	
Bedford	Dial	Parsons		—18

Nays: —0

The Bill:

H. 131. To provide for the department of public safety to issue special nondriver identification cards for retarded persons and to prescribe a certain issuance fee for such cards with the proceeds from such fees earmarked to said department.

was taken up.

Senator Bedford moved that further consideration of the Bill, H. B. 131, be postponed until the Ninth Legislative Day.

On motion of Senator Corbett, the motion to postpone was laid on the table.

On motion of Senator Bedford, further consideration of the Bill, H. B. 131, was postponed subject to the call of the Chair.

The Bill:

H. 25. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Cabaniss	Foshee	Parsons	
Amari	Covington	Goodwin	Smith (J)	
Bailey	deGraffenried	Holmes	Strong	
Bedford	Denton	Langford	Teague	
Bennett	Dial	Menton		—18

Nays: —0

The Bill:

H. 100. To amend Section 40-9-13 of the Code of Alabama 1975, relating to exemptions from taxation, so as to exempt, among others, the Annual Shrine Circus as well as all other charitable Shrine amusement and fund raising events from all license fees and charges including any privilege and excise tax levied by the state or any county or municipality; and to provide that such charitable Shrine amusement and fund raising events

shall be subject to all the provisions of Section 40-9-12 of the Code of Alabama 1975.

was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Senators:	Bennett	Foshee	Menton	
Aldridge	Cabaniss	Goodwin	Smith (J)	
Amari	Covington	Holmes	Strong	
Bedford	deGraffenried	Langford	Teague	
Bedsole	Dial	Little		—18

Nays: —0

The Bill:

S. 147. To further amend Sections 18 and 20 of an act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended, relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from all qualified candidates unless the appointing authority shall request the three ranking eligibles only.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 2.

Yeas:

Senators:	Cooley	Figures	Menton	
Aldridge	Corbett	Foshee	Mitchem	
Bailey	Covington	Hand	Sanders	
Bedsole	Denton	Hilliard	Smith (B)	
Bennett	Dial	Holmes	Smith (J)	
Bishop	Drinkard	Little	Teague	
Cabaniss	Ellis			—25

Nays:

Senators:	Amari	Parsons	—2
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The Bill:

S. 159. To authorize the Board of Managers of the City of Birmingham Retirement and Relief System to consider the application of Catherine E. Robertson for a pension based upon extraordinary disability and to award such pension if, in the judgment of the Board of Managers, such pension is required, and to provide for the conditions and limitations applying to such pension, and to set an effective date.

was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Senators:	Bedsole	Covington	Ellis
Aldridge	Bennett	Denton	Figures
Amari	Cabaniss	Dial	Foshee
Barron	Cooley	Drinkard	Hand

Hilliard	Menton	Sanders	Smith (J)	
Holmes	Mitchem	Smith (B)	Teague	
Little	Parsons			—25
Nays:				—0

### RESOLUTION

Senators Little and Aldridge offered the following Senate Joint Resolution, to-wit:

S. J. R. 86. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.

WHEREAS, the Legislature of Alabama stands in remembrance and pride as we commemorate June 6, 1944, the D-Day invasion by American troops of the Normandy shores; and

WHEREAS, even as this Legislature and all Americans speak in awesome memory, the significance of that historic occasion is most solemnly memorialized by the white crosses of Normandy—simple monuments which will forever stand in mute but eloquent tribute to the courage of young Americans and our allies, whose strength was in their commitment to the cause of freedom; and

WHEREAS, June 6, 1944, is indeed etched deeply in our minds and hearts as an occasion of the past but, for today and all time, our nation's greatest triumph for democracy; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in highest tribute we today honor our fallen heroes, shed tears for their loss but, above all, give thanks to God for their lives.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for preservation in the Alabama War Memorial Building.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 14. Relating to Madison County; amending Act No. 951, H. 2010, 1973 Regular Session, (Acts 1973, p. 1459) which provides for the meeting days of the board of registrars, so as to increase said days.

was taken up.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 106. To provide that each municipality in the State of Alabama shall have the authority to enter into binding option agreements with respect to any land held by it as the site of an industrial park, subject to certain conditions and limitations.

Also:

H. J. R. 53. DIRECTING THAT THE STATUE OF GOVERNOR LURLEEN WALLACE BE RETURNED TO THE ROTUNDA FOLLOWING CAPITOL RENOVATION.

Also:

H. J. R. 99. LEGISLATIVE INTENT RELATIVE TO ACT NOS. 84-441 AND 84-429, REGULAR SESSION 1984, RELATING TO JACKSON COUNTY ECONOMIC DEVELOPMENT BOARD.

Also:

H. J. R. 109. CREATING A SELECT JOINT COMMITTEE TO STUDY AND REVIEW ALL REGULATIONS, POLICIES AND PROCEDURES OF ALL WELFARE, INCLUDING OLD AGE PENSION PROGRAMS, MEDICAID AND SOCIAL PROGRAMS FUNDED OR ADMINISTERED BY THE STATE OF ALABAMA, FOR THE PURPOSE OF RECONSTRUCTING SAME TO ELIMINATE ABLE-BODIED, AND THEREFORE INELIGIBLE, RECIPIENTS OF PUBLIC FUNDS.

Also:

H. J. R. 110. COMMENDING MISS ANNE MARIA SCOTT FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

H. J. R. 111. COMMENDING MISS CHRISTELLA MOORER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

H. J. R. 112. COMMENDING MISS OLIVIA TURNER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

H. J. R. 113. COMMENDING MR. NORBERT HERSHAEL WILLIAMS FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

Also:

H. J. R. 119. HONORING JOE P. McCALL OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 107. NAMING S. B. 17 OF THE 1984 FIRST SPECIAL SESSION, THE "HOLMES-LAIRD ACT."

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate,

signed the foregoing Bill and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 113. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401 (k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF H. B. 14

The Senate proceeded to further consideration of the Bill, H. B. 14.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 13. CREATING A JOINT INTERIM COMMITTEE TO STUDY SMALL BUSINESS.

Also:

S. J. R. 7. EXPRESSING LEGISLATIVE INTENT CONCERNING AN APPROPRIATION TO THE ALABAMA SMALL BUSINESS PROCUREMENT SYSTEM.

JOHN W. PEMBERTON,  
Clerk.

### FURTHER CONSIDERATION OF H. B. 14

The Senate proceeded to further consideration of the Bill, H. B. 14.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 93. To amend 1975 Code of Alabama, Sections 22-52-14 and 22-52-17, which relate to mental health evaluations and commitments so as to require all probate judges to utilize mental health facilities of the State of Alabama when available and to establish rates for attorney services in representing indigent persons.

Also:

S. 112. To amend Section 36-23-1, Code of Alabama 1975, relating to the number of constables for each county, so as to permit any county, by local legislation to abolish such office in that county.

JOHN W. PEMBERTON,  
Clerk.

**FURTHER CONSIDERATION OF H. B. 14**

The Senate proceeded to further consideration of the Bill, H. B. 14.

**RESOLUTION**

Senator Strong offered the following Senate Joint Resolution, to-wit:

S. J. R. 87. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE FINANCING OF INDIGENT HOSPITAL CARE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study all aspects of the financing of hospitalization of indigents. Such committee shall consist of three members from the Senate to be appointed by the Lieutenant Governor and three members from the House to be appointed by the Speaker of the House of Representatives. A chairman and vice-chairman shall be elected from the membership.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman; provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session or if a member is being paid any other payments on the same dates for attendance of other state business. The total of such expenses shall not exceed \$1,500.

Which was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 25. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

Also:

H. 100. To amend Section 40-9-13 of the Code of Alabama 1975, relating to exemptions from taxation, so as to exempt, among others, the Annual Shrine Circus as well as all other charitable Shrine amusement and fund raising events from all license fees and charges including any privilege and excise tax levied by the state or any county or municipality; and to provide that such charitable Shrine amusement and fund raising events shall be subject to all the provisions of Section 40-9-12 of the Code of Alabama 1975.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF H. B. 14

The Senate proceeded to further consideration of the Bill, H. B. 14.

Senator Hand offered the following amendment to the Bill, H. B. 14, to-wit:

### AMENDMENT TO H. B. 14

Amend House Bill No. 14 Page 1, Line 27, by striking out Section 2 in its entirety and substituting in lieu thereof;

Section 2. This act shall become effective only after the passage of S. B. 48 in the First Special Session of 1984.

On motion of Senator Hand, further consideration of the Bill, H. B. 14, and pending amendment, was postponed subject to the call of the Chair.

### BILLS ON THIRD READING RESUMED

Senator Covington requested and received permission to suspend the Rules in order to bring up the Bill:

H. 122. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20

through 35-12-48, Code of Alabama of 1975, as amended, to establish an effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And said Bill, H. B. 122, was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Covington	Hilliard	Mitchem	
Aldridge	deGraffenried	Holmes	Sanders	
Amari	Figures	Langford	Smith (B)	
Bedford	Foshee	Little	Smith (J)	
Bennett	Goodwin	Menton	Teague	
Cabaniss	Hand			—21

*Nays:* —0

Senator Cabaniss requested and received permission to suspend the Rules in order to bring up the Bill:

H. 175. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country and to provide retroactive effect.

And said Bill, H. B. 175, was read a third time at length and passed.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Corbett	Goodwin	Sanders	
Aldridge	deGraffenried	Holmes	Smith (B)	
Amari	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Teague	
Cabaniss	Foshee	Menton		—18

*Nays:* —0

### FURTHER CONSIDERATION OF S. B. 123

The Senate proceeded to further consideration of the Bill, S. B. 123.

Senator Goodwin offered the following substitute for the Bill, S. B. 123, to-wit:

### SUBSTITUTE FOR S. B. 123

#### A BILL TO BE ENTITLED AN ACT

To protect, preserve, maintain, and enhance the scenic, recreational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.



Be It Enacted by the Legislature of Alabama:

Section 1. This act shall be known and may be cited as "The Cahaba River Act of 1984."

Section 2. The Legislature of the State of Alabama finds that the Cahaba River possesses outstanding scenic, recreational, geological, fish and wildlife, botanical, historical, archaeological, and other environmental, scientific, and cultural values of great present and future benefit to the people of Alabama and the nation, and that the Cahaba River is exceptionally valuable, for both the present and the future, as an important supply of drinking water for Alabamians and as a water supply for agricultural use, including livestock watering, crop irrigation, and water table support. The state has a pervasive interest in promoting and preserving those values. The Cahaba River is one of few natural free-flowing rivers remaining in the eastern United States. It is a haven for a wide variety of flora and fauna, several species of which are rare or endangered. In addition, the Cahaba River is a scenic river, valuable as a public recreational outlet for boating, canoeing, swimming, and fishing. These uses and benefits, however, are threatened by the unregulated development of the river. The river should be preserved for these uses and benefits of the future.

Section 3. The purpose of this legislation is to preserve, reclaim, purify, and protect the Cahaba River in order to ensure the continued use and enjoyment by the public of the values and uses which are identified in Section 2 of this act.

Section 4. As used throughout this act, including the preamble and the findings, except where specifically noted to the contrary, the following words have the meanings ascribed to them in this section:

(1) **BEST MANAGEMENT PRACTICES.** The practice or combination of practices determined by a state or designated area planning agency after problem assessment, examination of alternative practices and appropriate public participation, to be the most effective and practicable means, according to technological, economical, environmental and institutional considerations, of preventing or reducing the amount of pollution by non-point sources to a level compatible with water quality goals.

(2) **CAHABA RIVER.** (a) That river which begins at Echo Lake in northeast Jefferson County and flowing through Jefferson, St. Clair, Shelby, Bibb, Perry, and Dallas Counties to the point where it flows into the Alabama River, provided, however, that this act shall apply only to that portion of the river downstream from the point where the river intersects with Black Creek in the SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 10 of Township 15, Range SW of Bibb County; and

(b) The entire length of the Little Cahaba River, which begins at the junction of Shoal Creek and Mayhan Creek in eastern Bibb County to the point where it flows into the Cahaba River.

(3) **CHANNELIZING OR CHANNELIZATION.** The practice of changing a natural stream, river, or water way or a segment thereof into a man-made ditch or canal with channels of relatively uniform width and depth, commonly necessitating the removal of trees and other wooded vegetation adjacent to the stream, river, or waterway.

(4) **CHANNEL REALIGNMENT.** The practice by which dredging, ditching, or other means are used to shorten or reroute the natural course of a stream, river, or waterway.

(5) **CLEARING AND SNAGGING.** The practice of removing by mechanical means most obstructions, trees, snags, or other impediments which retard the natural flow of a stream, river, or waterway. Provided, however, that the removal of individual obstructions, trees, snags, or impediments with hand tools or hand-held power saws is not included in the definition of clearing and snagging.

(6) **COMMISSIONER.** The Commissioner of Conservation and Natural Resources or such administrative officer as is designated by him to administer the program established under this act.

(7) **FOREST PRACTICE.** The activity relating to the growing, protecting, harvesting or processing of forest tree species on forestland.

(8) **HORIZONTAL DISTANCE.** That distance measured from the surface elevation contour existing at the mean low-water mark of the Cahaba River, extending perpendicularly from said mark in a horizontal fashion along a line which rests horizontally and continuously on the surface elevation contour existing at the said mean low-water mark.

(9) **IMPOUNDMENT.** The total or partial damming of a stream, river, or watercourse so as to substantially alter the natural flow, current, velocity, or depth of the stream, river, or watercourse.

(10) **MANAGEMENT CORRIDOR.** That area of land along and adjacent to the Cahaba River which extends a horizontal distance of 150 feet on either side from the mean low-water mark of that river, provided, however, this limitation shall not apply to areas where the limitation of 100 feet by The Alabama Surface Mining Control and Reclamation Act of 1981 is applicable.

(11) **NON-POINT SOURCES.** Water pollution which is:

(a) Induced by natural processes, including precipitation, seepage, percolation and run-off;

(b) Not traceable to any discreet or identifiable facility; and

(c) Better controlled through the utilization of best management practices, including process and planning techniques.

(12) **PERSON.** Any and all persons, natural or artificial, including, but not limited to, any individual, any responsible corporate officer, any firm, association, or organization, any municipal, public, or private corporation organized or existing under the laws of this or any other state or county, any other body politic or corporate, or any department, agency, agent, or instrumentality of any of the aforesaid persons or entities.

(13) **RIPRAPPING.** The practice of placing rocks or similar material closely together on the banks of a stream, river, or waterway for the purpose of controlling erosion.

(14) **STREAMSIDE MANAGEMENT ZONE.** That area adjacent to the banks of streams or rivers where extra precaution is necessary in carrying out forest practices in order to protect the stream or river bank integrity and water quality.

(15) **SURFACE MINING.** Any activities on the surface of lands in connection with a surface mine of coal, iron, gravel, or any other mineral or material, or any surface operations and surface impacts incident to an underground mine of coal, iron, gravel, or any other mineral or material. Such activities, operations, and impacts shall include, but not be limited to exca-

vation, the use of explosives and blasting, distillation or retorting, leaching or other chemical or physical processing, and the cleaning, concentrating, or other processing, preparation, or loading of coal, iron, gravel, or any other mineral or material in connection with the surface or underground mine.

Section 5. Any person who engages in surface mining within the management corridor shall comply with The Alabama Surface Mining Control and Reclamation Act of 1981. Any person who causes or allows to be discharged into the Cahaba River by any means, or who maintains or who causes or allows to be accumulated within the management corridor any mining piles, wastes, washings, overburden, or other debris generated by or arising out of or in connection with such person's surface or underground mining activities shall be deemed to have violated this act.

Section 6. The water quality standard for the Cahaba River shall be no lower than the standard established and adopted by the Alabama Water Improvement Commission on October 16, 1972, for the Cahaba River as defined in Section 4 (2) (a) of this act, and the Little Cahaba River, as defined in Section 4 (2) (b) of this act. However, in no event shall said standard be less restrictive than "Fish and Wildlife" as that term is defined in the Alabama Water Improvement Commission's Water Use Classifications for Interstate and Intrastate Waters of the State of Alabama (adopted May 5, 1967, and as amended on June 19, 1967, April 1, 1970, October 16, 1972, and September 1973).

Section 7. Any person who, in violation of Chapter 22, Title 22, Code of Alabama 1975, discharges pollution into the Cahaba River without having first obtained a permit, or discharges pollution into the Cahaba River in violation of the terms of a permit, or otherwise violates and effluent limitation or water quality standard of the Alabama Department of Environmental Management shall be deemed to have violated this act.

Section 8. Any person who discharges, dumps, or otherwise allows or causes to be deposited in the Cahaba River or within the management corridor any solid waste, hazardous waste, or other litter in violation of the Solid Waste Disposal Act, the Hazardous Wastes Management Act of 1978 or Chapter 6, Title 33, Code of Alabama 1975, shall be deemed to have violated this act.

Section 9. Any person who, within the management corridor, constructs or places transportation facilities, utilities, or other permanent man-made structures, or who, within the Cahaba River, constructs a dam or impoundment or carries out channelization, channel realignment, clearing and snagging, or riprapping, must first obtain a permit from the Commissioner of Conservation and Natural Resources. Said permit shall certify that the applicant's activities will meet the requirements of this act, the requirements of regulations promulgated by the Commissioner pursuant to this act, and any additional requirements or conditions imposed by the Commissioner in the permit.

Section 10. Any person who constructs or who causes or allows to be constructed any dam or impoundment on the Cahaba River at any time after the effective date of this act without having first obtained a permit from the Commissioner of Conservation and Natural Resources or in violation of the terms of a permit, a regulation of the Commissioner, or this section shall be deemed to have violated this act. It is hereby established as state policy that there is an important public and state interest in preserving the Cahaba River in its natural condition. Dams and impoundments violate the aforementioned policy, and shall be permitted only when they are

necessary to protect and constitute the sole means of promoting a superseding interest in the public health or welfare.

Section 11. Any person who performs or causes to be performed the activity of channelization, channel realignment, clearing and snagging, or riprapping on the Cahaba River at any time after the effective date of this act without having first obtained a permit from the Commissioner of Conservation and Natural Resources or in violation of the terms of a permit, a regulation of the Commissioner, or this section shall be deemed to have violated this act.

Section 12. The Alabama Recommended Forest Management Guidelines, August 1977, adopted by the Alabama Forestry Commission shall be the concept of best management practices for commercially cut timber within the management corridor. Harvesters must notify the Commissioner of their intentions to exercise the best management practices within the management corridor.

Section 13. The best management practices for agricultural purposes, as established by the State Soil and Water Conservation Committee, shall be the concept used for agricultural purposes within the management corridor. The Commissioner shall be notified of any intention to exercise the best management practices within the management corridor.

Section 14. Any person who constructs or places or who causes or allows to be placed within the management corridor a transportation facility, including but not limited to bridges, roads, and highways, or utility must first obtain a permit from the Commissioner, and must construct or place the facility or utility so as to mitigate as much as is practicable any detrimental effect on the scenic, recreational, geological, fish and wildlife, botanical, historical, archaeological, agricultural, drinking water, and other environmental, scientific and cultural values of the Cahaba River. Such facilities and utilities shall be permitted only after compliance with the foregoing requirements of this section. Nothing in this act shall be construed to prevent, hinder or regulate in any manner the maintenance of such facilities and utilities which existed within the management corridor prior to the enactment of this act or which are subsequently constructed or placed within the management corridor pursuant to a permit from the Commissioner, including the clearing and reclearing of rights-of-ways and easements.

Section 15. Any person who constructs or places or who causes or allows to be placed within the management corridor any other man-made structure, including but not limited to buildings, residences, commercial facilities, commercial advertising signs, and mobile homes, house trailers, campers, or motor homes, must first obtain a permit from the Commissioner, and must construct or place such structure so as not to impair the scenic, recreational, geological, fish and wildlife, botanical, historical, archaeological, agricultural, drinking water, and other environmental, scientific, and cultural values of the Cahaba River. Steps shall be taken, when construction or placement of such structures occurs within the management corridor, to mitigate as much as possible any detrimental effects on the aforementioned values of the Cahaba River. Except in the case of single family residential buildings, such structures may not be permitted unless there is no reasonable alternative to construction or placement within the management corridor.

Section 16. (a) The Legislature recognizes that there are limited areas along the Cahaba River, including that part of the Cahaba River which flows through the City of Centreville, which are traditionally commercial or

industrial in character. The Commissioner shall be empowered to establish by regulation limited segments of the management corridor which shall be designated as traditionally commercial areas. Any such areas which are so designated by the Commissioner shall be so designated within six months of the effective date of this act.

(b) Any person who constructs or places or who causes or allows to be placed within a designated traditionally commercial area of the management corridor a transportation facility, including but not limited to bridges, roads, and highways, utility, or any other man-made structure, as set out in Sections 14 and 15 of this act, must first obtain a permit from the Commissioner, and must construct or place such facility, utility, or structure so as to prevent to the maximum extent possible any detrimental effects on the scenic, recreational, geological, fish and wildlife, botanical, historical, archaeological, agricultural, drinking water, and other environmental, scientific, and cultural values of the Cahaba River. When reasonable alternatives for such construction or placement exist outside the management corridor, preference shall be given to the alternative sites outside the management corridor, other factors being equal. Diligent steps shall be taken, when construction or placement of such facilities, utilities, or structures occurs within a designated traditionally commercial area of the management corridor, to mitigate as much as possible any detrimental effects on the aforementioned values of the Cahaba River. All other requirements of this act, aside from the requirements of Sections 14 and 15 which are hereby modified, shall fully apply to activities carried out within designated traditionally commercial areas of the management corridor in the same manner that they apply to the management corridor and Cahaba River generally.

Section 17. Camping along the Cahaba River shall occur only on public lands, and not on private land except when and where permitted by the landowner. However, when the Commissioner designates specific public lands for use as campsites, camping shall occur only on those designated lands, and not on private land except when and where permitted by the landowner.

Section 18. Camp fires along the Cahaba River shall be made only in compliance with state law and only when and where there is no possibility of their causing damage. No open camp fire shall be left untended. All camp fires shall be completely extinguished with water after use. Camp fires along the Cahaba River shall be made only on public lands, and not on private land except when and where permitted by the landowner.

Section 19. Any person who commences or performs any of the activities regulated under Sections 9 through 18 of this act without obtaining a permit or in violation of a permit, a regulation of the Commissioner, or this act shall be deemed to have violated this act.

Section 20. (a) Whenever a written statement is filed with the Commissioner alleging that any person is in violation of any provision of this act, any regulation whose enforcement would further the purposes of this act, or any order issued by any state agency under the authority of this act, the Commissioner may cause to have issued and served upon the person alleged to be committing such violation a written notice which shall specify both the provision of the aforementioned act, regulation, or order which such person is alleged to be violating and the manner in which the person is alleged to be violating the aforementioned act, regulation, or order. The notice shall also require the person complained against to answer the charges of the complaint at a hearing before the Commissioner at a time not less

than 10 days or more than 20 days after the service of notice. Either, upon his own initiative, or at the request of the person charged, the Commissioner shall issue subpoenas requiring the attendance of witnesses and the production of such evidence as may be relevant to such hearing. The person charged may appear in person or by counsel at such hearing. Testimony shall be taken under oath and recorded stenographically at the hearing, and the person charged shall have the right to cross-examine witnesses at the hearing. A copy of the record of the hearing shall be furnished to the person charged upon payment of the cost of such copy. The Commissioner shall enter any order which he deems appropriate on the basis of the evidence presented, and the order may include a civil penalty up to \$5,000.00 for each violation of this act, payable to the Cahaba River Fund. The Commissioner shall forthwith mail a copy of the order to the person charged or to his attorney of record. If the order is not complied with, an action may be commenced under Sections 21 and 22 of this act to enforce the order; however, neither the commencement nor the completion of the administrative procedures shall in any way be considered to be a prerequisite or condition to the filing of an action under Sections 21 and 22 of this act.

(b) A charged person who has been aggrieved by an order of the Commissioner may appeal that order to the Circuit Court of Montgomery County or the county in which the violation subject to the order occurred; provided, however, the appeal must be filed within 30 days after the order is issued. The court shall review the record of the administrative hearing and may hear such other evidence as it deems appropriate, and shall uphold the order unless it is arbitrary, capricious, or without any reasonable foundation in the evidence. If the court determines that the order is arbitrary, capricious, or without any reasonable foundation in the evidence, the case shall be remanded to the Commissioner for further proceedings in accordance with the provisions of this act and the court's order. The parties shall have all rights of exception and appeal as in other cases.

Section 21. Any person who violates or who fails, neglects, or refuses to obey any provision of this act, any regulation whose enforcement would further the purposes of this act, or any permit or order issued by any state agency under the authority of this act, may be compelled to comply with or obey the same by injunction, mandamus, or any other extraordinary writ or other legal or equitable remedy; provided further, that any person who violates or fails, neglects or refuses to obey any provision of this act, any regulation whose enforcement would further the purposes of this act, or any permit or order issued by any state agency under the authority of this act, shall be punished by a fine of not less than \$100.00 but not more than \$1,000.00 for each day of violation, or by imprisonment for not more than six months, or by both.

Section 22. The remedies provided in Sections 20 and 21 of this act shall not be exclusive. In addition thereto, any citizen of the State of Alabama may bring any action available at law or in equity to enforce the provisions of this act, to impose or enforce the payment of \$5,000.00 civil penalty to the Cahaba River Fund, or to enforce or adjudicate his rights and the rights of others similarly situated. Provided, that nothing in this section shall be construed to empower any citizen to bring an action to impose any criminal sanctions under this act. Any citizen or class of citizens contemplating bringing any action under this act, except for a private action brought to recover money damages, must give the Attorney General of the State of Alabama 10 days notice of intent to file the action prior to filing it. Any plaintiff who shall be successful, in whole or in part, as to his citizen's suit brought under this section shall also be awarded costs of the action and

a reasonable attorney's fee. Any plaintiff who shall be unsuccessful shall be ordered to pay the costs of the suit.

It is hereby expressed as the intent of the Legislature that anyone who owns land within the management corridor and who is aggrieved by the failure of the Commissioner to enforce any provision of this act or any regulation whose enforcement would further the purposes of this act, or any order or permit issued by any state agency under authority of this act may avail himself of this section to ensure enforcement of the said act, regulation, order, or permit.

Section 23. In administering the permit program for the Cahaba River and the management corridor, the Commissioner is directed, after holding public hearings on the subject, to adopt and promulgate rules and regulations establishing guidelines and limitations regarding when permits may be issued in particular situations under the requirements of this act. The Commissioner is authorized, after holding public hearings on the subject, to adopt and promulgate reasonable rules and regulations governing the management and orderly public use of the Cahaba River and the management corridor, including use permits, user fees, designated campsites, the franchising of private recreational development projects, and the protection of private lands within and alongside the management corridor. The Commissioner shall hire or assign sufficient enforcement personnel to police the river in order to insure that the river is used in an orderly and peaceful manner, to enforce the provisions of this act, rules and regulations promulgated pursuant to this act, and permits issued under this act, and to protect private lands within and alongside the management corridor. The public hearings authorized in this section shall be held only after due and adequate notice has been given to all interested parties and to owners of real property within the management corridor.

Section 24. The Commissioner shall be advised and assisted as to rules and regulations, permit applications, enforcement procedures, and any other matters coming before the Commissioner concerning the regulation or management of the Cahaba River or the management corridor by the Technical Advisory Council, which shall consist of one geologist, one aquatic biologist, one terrestrial biologist from the State University System, one hydrologist from the Alabama Water Improvement Commission, one representative from the Alabama Historical Commission, one conservationist, one licensed forester, one representative from the Alabama Forestry Association, one representative from the Alabama Coal Association, one representative from the Alabama Farm Bureau Federation, and one person each from, and who resides in, Bibb County, Perry County, and Dallas County. The members of the Technical Advisory Council shall be appointed by the Commissioner, except that each member who is appointed as a resident of Bibb, Perry, or Dallas County shall be appointed by the Probate Judge of his or her respective county.

Members of the Council shall serve a term of two years and shall be eligible for reappointment. Any member who shall be absent from more than 25 percent of the meetings of the Council during a 12-month period shall have his or her membership automatically revoked, after which the member may be reappointed once; however, after a second automatic revocation, the member may not be reappointed.

All Council meetings shall be open to the public.

Section 25. Upon receipt of an application for a permit to carry out a regulated activity within the management corridor or in the Cahaba River,

the Commissioner shall immediately forward a copy of the application to the Technical Advisory Council and issue a written notice, summarizing the permit application, to all interested parties, including those who have requested to be placed on the Commissioner's permanent mailing list for the Cahaba River. The Council, within 30 days of receiving the copy of the permit application, shall meet for the purpose of rendering its advice to the Commissioner as to whether the application should be approved, disapproved, modified, or conditionally approved or disapproved. The Commissioner shall consider, but not be bound by, the Council's advice, and shall, within 30 days of the Council meeting, approve, disapprove, modify, or conditionally approve or disapprove the application. The failure of the Council to meet within the thirty-day period shall not impair the ability of the Commissioner to act on the application; however, if the Commissioner fails to act within 60 days of the Council's receipt of the application, the permit shall be deemed to have been automatically approved.

Section 26. (a) There is hereby created a fund which shall be known as the Cahaba River Fund. The fund shall consist of, and the Commissioner is authorized to receive and manage, the following:

(1) All money appropriated to the Alabama Department of Conservation and Natural Resources for managing or protecting the Cahaba River by the Legislature of the State of Alabama;

(2) All money received by the Alabama Department of Conservation and Natural Resources from county or municipal governments for managing or protecting the Cahaba River;

(3) All related gifts, grants, bequests, or donations from individuals, associations, corporations, or industries;

(4) All money derived through any source of federal aid;

(5) All money collected as civil penalties under this act;

(6) All money derived from user fees, permit fees, and other fees and charges imposed by the Commissioner; and

(7) All other moneys accruing to the Alabama Department of Conservation and Natural Resources in accordance with the terms of the gift, grant bequest, appropriation, or donation from which said money is derived.

(b) The moneys in the fund shall be expended by the Commissioner in furtherance of any of the provisions of this act, including but not limited to: the leasing of lands by the Commissioner; the purchase of development rights or scenic easements; the purchase of fee simple or any lesser interests in land; the management of wildlife by either the state, the responsible counties, or any person; and the payment or reimbursement to the responsible counties for enforcing the provisions of this act. The above-cited expenditures shall be made only when the landowner consents to the purchase or lease, shall be made by the Commissioner on behalf and in the name of the State of Alabama, and may be made within or outside the management corridor.

Section 27. Nothing contained in this act shall be construed to preclude any riparian landowner from asserting and enforcing any common law or statutory right, whether civil or criminal, against any trespasser.

Section 28. (a) One who owns or is in possession of premises within or adjoining the management corridor owes no duty of care to persons using the Cahaba River or the management corridor for hunting, fishing, trapping,



camping, water sports, hiking, boating, sightseeing, or other recreational purposes to keep such premises safe for entry or use by such persons or to give any warning of hazardous conditions, activities, uses, or structures on such premises to such persons.

(b) One who owns or is in possession of premises within or adjoining the management corridor and who gives permission to another to hunt, fish, trap, camp, hike, sightsee, or engage in any other sporting or recreational activity upon the premises does not thereby extend any assurance that the premises are safe for such purpose, does not hereby constitute the person to whom permission has been granted the legal status of an invitee to whom a duty of care is owed, and does not thereby assume responsibility for or incur liability for any injury to person or property caused by an act of such person to whom permission has been granted.

(c) This section does not limit the liability which otherwise exists for wilful or malicious failure to guard or warn against dangerous conditions, uses, structures, or activities; or for injury suffered in any case where permission to hunt, fish, trap, camp, hike, sightsee, or engage in any other sporting or recreational activity was granted for commercial enterprise for profit; or for injury to third persons to whom the person granting permission or the person who owns or is in possession of the premises owed a duty to keep the premises safe or to warn of danger, wherein such injury was caused by the acts of persons to whom permission to hunt, fish, trap, camp, hike, sightsee, or engage in any other sporting or recreational activity was granted.

Section 29. Nothing contained in this act shall be construed to preclude the Cahaba River from becoming a part of any other state or federal river protection plan or system, provided that water uses, water quality classifications, and land uses of the Cahaba River and the management corridor thereunder would not be less restrictive than those set out in this act.

Section 30. Any landowner whose property lies within the management corridor shall be entitled to a reassessment of the land's value by virtue of the restrictions placed on the use of such land by this act.

Section 31. Nothing contained in this act shall be construed to require any person, firm, corporation, or entity of any kind, that owns or is in possession of property located anywhere on the Cahaba River other than in the management corridor, to comply with any rule, regulation or restriction promulgated pursuant to or set forth in this act, nor shall any such property be in any manner subject thereto. Provided, however, this section is not intended to exempt any such property from the requirements of Section 6 of this act.

Section 32. Nothing in this act shall be interpreted as negating or destroying any common law or statutory right, duty, power, or authority of the Attorney General of Alabama.

Section 33. All laws or parts of laws which conflict with this act are hereby expressly repealed; provided, however, that this act is intended to supplement Chapters 22, 22A, 27 and 30 of Title 22, Chapter 6 of Title 33 and Article 1 of Chapter 7 of Title 33, Code of Alabama 1975, and no part of this act shall be construed to repeal any provision of those statutes.

Section 34. The provisions of this act are severable. If any of its sections, subsections, provisions, exceptions, sentences, clauses, phrases, or parts be held unconstitutional or void, the remainder of this act shall continue in full force and effect, it being the legislative intent, now hereby de-

clared, that this act would have been adopted even if such unconstitutional or void matter had not been included herein. Furthermore, the inapplicability or invalidity of any section, subsection, provision, exception, sentence, clause, phrase, or part in any one or more instances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance.

Section 35. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 18; Nays 0.

*Yeas:*

Senators:	Cabaniss	Foshee	Little	
Aldridge	Corbett	Goodwin	Mitchem	
Bailey	Covington	Hand	Smith (J)	
Bedford	Denton	Hilliard	Teague	
Bedsole	Ellis	Langford		—18

*Nays:* —0

And said Bill, S. B. 123, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Bennett	Foshee	Little	
Aldridge	Covington	Goodwin	Menton	
Amari	deGraffenried	Hand	Smith (J)	
Bedford	Denton	Holmes	Strong	
Bedsole	Ellis	Langford	Teague	—19

*Nays:* —0

### FURTHER CONSIDERATION OF H. B. 131

The Senate proceeded to further consideration of the Bill, H. B. 131.

And said Bill, H. B. 131, was read a third time at length and passed.

Yeas 21; Nays 0.

*Yeas:*

Senators:	Bennett	Ellis	Menton	
Aldridge	Cabaniss	Goodwin	Sanders	
Amari	Corbett	Hand	Smith (B)	
Barron	Covington	Holmes	Strong	
Bedford	deGraffenried	Little	Teague	
Bedsole	Denton			—21

*Nays:* —0

### RESOLUTION

Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Menton, Mitchem, Parsons, Pearson, Sanders,

Smith (B), Smith (J), Strong, and Teague offered the following Senate Joint Resolution, to-wit:

**S. J. R. 88. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.**

WHEREAS, the Legislature of Alabama stands in remembrance and pride as we commemorate June 6, 1944, the D-Day invasion by American troops of the Normandy shores; and

WHEREAS, even as this Legislature and all Americans speak in awe-some memory, the significance of that historic occasion is most solemnly memorialized by the white crosses of Normandy—simple monuments which will forever stand in mute but eloquent tribute to the courage of young Americans and our allies, whose strength was in their commitment to the cause of freedom; and

WHEREAS, June 6, 1944, is indeed etched deeply in our minds and hearts as an occasion of the past but, for today and all time, our nation's greatest triumph for democracy; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That in highest tribute we today honor our fallen heroes, shed tears for their loss but, above all, give thanks to God for their lives.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be provided for preservation in the Alabama War Memorial Building.

On motion of Senator Little, the Rules were suspended and the Resolution was adopted by the Senate.

**REPORT OF COMMITTEE ON RULES**

Mr. President Pro Tem:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 93. To amend 1975 Code of Alabama, Sections 22-52-14 and 22-52-17, which relate to mental health evaluations and commitments so as to require all probate judges to utilize mental health facilities of the State of Alabama when available and to establish rates for attorney services in representing indigent persons.

Also:

S. 112. To amend Section 36-23-1, Code of Alabama 1975, relating to the number of constables for each county, so as to permit any county, by local legislation to abolish such office in that county.

Also:

**S. J. R. 7. EXPRESSING LEGISLATIVE INTENT CONCERNING AN APPROPRIATION TO THE ALABAMA SMALL BUSINESS PROCUREMENT SYSTEM.**

Also:

S. J. R. 13. JOINT INTERIM COMMITTEE TO STUDY SMALL BUSINESS.

CHARLES BISHOP,  
Chairperson.

### **SIGNING OF BILLS AND RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### **RESOLUTION**

Senators Bedsole and Strong offered the following Senate Resolution, to-wit:

S. R. 89. COMMENDING JOHN RIVERS OF SARALAND, MOBILE COUNTY, ALABAMA, FOR EXTRAORDINARY ACHIEVEMENT.

Which was adopted.

### **REPORT OF SECRETARY**

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 34  
S. B. 35  
S. B. 55  
S. B. 63  
S. B. 67  
S. B. 89  
S. B. 91  
S. B. 92  
S. B. 101  
S. B. 133  
S. B. 153  
S. B. 156  
S. B. 9  
S. B. 65  
S. B. 71  
S. B. 82

S. B. 15

Delivered to the Governor, June 6, 1984, at 1:40 P.M.

S. B. 31.

Delivered to the Secretary of State, June 6, 1984, at 1:45 P.M.

S. B. 93

S. B. 112

S. J. R. 7

S. J. R. 13

Delivered to the Governor, June 6, 1984, at 3:45 P.M.

S. B. 1

S. B. 5

S. B. 17

S. B. 32

Delivered to the Governor, June 6, 1984, at 1:40 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

At 3:15 P.M., Senator Amari moved that the Senate adjourn until Thursday, June 7, 1984, at 11 o'clock A.M.

Senator Bishop offered a substitute motion that the Senate adjourn until Thursday, June 7, 1984, at 12 o'clock noon, which motion was adopted.

Yeas 15; Nays 9.

*Yeas:*

Senators:	Denton	Little	Smith (B)	
Bedsole	Dial	Menton	Smith (J)	
Bishop	Hand	Mitchem	Strong	
Corbett	Holmes	Sanders	Teague	—15

*Nays:*

Senators:	Bedford	Covington	Ellis	
Amari	Bennett	deGraffenried	Goodwin	
Bailey	Cabaniss			—9

## NINTH LEGISLATIVE DAY

THURSDAY, JUNE 7, 1984

The Senate met pursuant to adjournment, Lieutenant Governor Baxley presiding.

## PRAYER

The Session was opened with prayer by Mr. Martel Pace, Minister, Lakewood Church of Christ, Montgomery, Alabama.

## PLEDGE OF ALLEGIANCE

The Senators were led in the Pledge of Allegiance to the Flag of the United States of America by Carl Davis, Huffman High School, Birmingham, Alabama.

## ROLL CALL

Present:

Senators:	Bishop	Figures	Menton
Aldridge	Cabaniss	Foshee	Mitchem
Amari	Corbett	Goodwin	Parsons
Bailey	Covington	Hand	Sanders
Barron	deGraffenried	Hilliard	Smith (B)
Bedford	Denton	Holmes	Smith (J)
Bedsole	Dial	Langford	Strong
Bennett	Ellis	Little	Teague

—31

## JOURNAL

On motion of Senator Teague, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## LEAVE OF ABSENCE

On motion of Senator Teague, leave of absence was granted Senators Cooley, Dixon, Drinkard, and Pearson for today.

## BILLS ON THIRD READING

Senator Smith (B) requested and received permission to suspend the Rules in order to bring up the Bill:

H. 130. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

And said Bill, H. B. 130, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Menton
Aldridge	Corbett	Hand	Mitchem
Amari	Denton	Hilliard	Parsons
Barron	Dial	Holmes	Smith (B)
Bedsole	Ellis	Langford	Smith (J)
Bennett	Figures	Little	Teague
Bishop	Foshee		

—25

Nays:

—0

The Bill:

H. 14. Relating to Madison County; amending Act No. 951, H. 2010, 1973 Regular Session, (Acts 1973, p. 1459) which provides for the meeting days of the board of registrars, so as to increase said days.

and pending amendment, having been postponed subject to the call of the Chair, was again taken up.

On motion of Senator Teague, said amendment was laid on the table.

And said Bill, H. B. 14, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Menton
Aldridge	Corbett	Hand	Mitchem
Amari	Denton	Hilliard	Parsons
Barron	Dial	Holmes	Smith (B)
Bedsole	Ellis	Langford	Smith (J)
Bennett	Figures	Little	Teague
Bishop	Foshee		

—25

Nays:

—0

### REPORTS FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 86. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.

On motion of Senator Teague, the Resolution was then adopted by the Senate.

Senator Bishop, Chairperson of the Standing Committee on Rules, then reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 83. DIRECTING THE PERMANENT ALABAMA OIL AND GAS STUDY COMMITTEE TO PERFORM CERTAIN FUNCTIONS RELATIVE TO THE PROPOSED AUGUST 14, 1984, OFFSHORE OIL AND GAS LEASE LETTING.

On motion of Senator Bedsole, the Resolution was then concurred in and adopted by the Senate.

### RESOLUTION

Senator Teague offered the following Senate Resolution, to-wit:

S. R. 90. COMMENDING MISS MARION MORRIS OF CHILDERSBURG, ALABAMA.

Which was adopted.

**BILLS ON THIRD READING RESUMED**

The Bill:

H. 41. Relating to Tallapoosa County; amending Section 2 of Act No. 32, S. 62, Regular Session 1967 (Acts 1967, p. 363), relating to compensation for members of the board of registrars, so as to regulate further said supplement, and to provide for mileage; providing for retroactive effect; and repealing Act No. 80-681, H. 1125, Regular Session 1980 (Acts 1980, p. 1367), Act No. 80-784, S. 606, Regular Session 1980 (Acts 1980, p. 1681), and Act No. 111, H. 86, 2nd Special Session 1978 (Acts 1978, p. 1827), relating to such salary and mileage.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Foshee	Parsons
Aldridge	Bishop	Hand	Sanders
Amari	Corbett	Hilliard	Smith (B)
Bailey	Denton	Holmes	Smith (J)
Barron	Dial	Little	Strong
Bedford	Ellis	Mitchem	Teague
Bedsole	Figures		

—25

Nays:

—0

The Bill:

H. 139. Relating to Blount County; to create a motor vehicle license division within the Revenue Commissioner's office for the issuance of motor vehicle licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses by the Revenue Commissioner's office; to transfer certain duties now performed by the Probate Judge to said Revenue Commissioner, and to provide for the compensation of the Revenue Commissioner.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Figures	Langford
Aldridge	Bishop	Foshee	Little
Amari	Cabaniss	Goodwin	Mitchem
Bailey	Corbett	Hand	Sanders
Barron	Denton	Hilliard	Strong
Bedford	Dial	Holmes	Teague
Bedsole	Ellis		

—25

Nays:

—0



The Bill:

H. 142. Relating to Blount County; to require the placing of the name and address of certain parties on legal documents filed for record in the probate office; to relieve the judge of probate from damages or penalty for any error or mistake in the performance of the duties prescribed by this Act.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bennett	Figures	Langford
Aldridge	Bishop	Foshee	Little
Amari	Cabaniss	Goodwin	Mitchem
Bailey	Corbett	Hand	Sanders
Barron	Denton	Hilliard	Strong
Bedford	Dial	Holmes	Teague
Bedsole	Ellis		

—25

Nays:

—0

The Bill:

H. 153. Proposing an amendment to the Constitution of Alabama 1901, providing for the membership, manner of election and terms of the members of the board of education for Macon County, Alabama and providing that this amendment shall be self-executing.

was taken up.

Senator Corbett offered the following substitute for the Bill, H. B. 153, to-wit:

### **SUBSTITUTE FOR H. B. 153**

#### **A BILL TO BE ENTITLED AN ACT**

Proposing an amendment to the Constitution of Alabama 1901, providing for the membership, manner of election and terms of the members of the board of education for Macon County, Alabama and providing that this amendment shall be self-executing.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part of the Constitution when all requirements of Amendment 425 of the Constitution of Alabama are fulfilled:

#### **PROPOSED AMENDMENT**

Beginning with a special election in 1984 and thereafter, the Macon County board of education shall be composed of six members who shall serve and be elected from four school districts in the county. A committee of 12 persons shall be appointed by the legislative delegation representing Macon County, to draw the school board district lines so as to ensure the one man one vote concept and to meet the requirements of the U. S. Justice Department. This committee shall be appointed within 5 days of the ratifi-

cation of this amendment and shall publish their decision on the said district lines within 10 days after their appointment and shall immediately submit their decision on the district lines to the U. S. Justice Department. As soon as the committee obtains an approved plan from the Justice Department, they shall certify the decision to the probate judge of Macon County and those district lines shall be the district lines established for the election of school board members. Any candidate for a seat on such school board shall qualify and be elected, as provided by law, by the qualified electors of the school board district wherein he or she resides. Such board members shall serve staggered six-year terms of office and shall be elected in the following manner: In a special election held for such purpose in 1984 and every six years thereafter in the general election, school districts No. 3 and No. 4 shall each elect one member to such board; in the 1986 general election and every six years thereafter, school districts No. 1 and No. 2 shall each elect one member to such board; and, in the 1988 general election and every six years thereafter, school district No. 1 shall elect two members to such board. The legislature, from time to time, may provide by local law for the selection of a chairperson for such board and for the compensation and duties of the members thereof. The provisions of this amendment shall be self-executing, but the legislature shall have the right and power by general, special or local law to adopt laws supplemental to this amendment or in furtherance of the general purposes and objectives herein set forth. In the interest of time and because of the time limitation between the effective date of this proposed amendment and the forthcoming 1984 general election, the Macon County board of education members whose seats are scheduled to be filled as provided herein in 1984, shall be elected by a simple majority of votes in the 1984 general election with the candidate from each district receiving the highest number of votes being elected without a run-off election. After the said 1984 general election, all Macon County board of education members will be elected through the normal party primary election process and run-off elections as otherwise provided.

Section 2. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in each newspaper qualified to run legal notices in the county affected.

Section 3. An election upon the proposed amendment is ordered to be held at a special election in Macon County after the expiration of three months from final adjournment of the current session of the legislature. The election shall be held in accordance with the provisions of Amendment 425 to the Constitution of 1901 and Sections 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Hand	Mitchem
Amari	Corbett	Hilliard	Parsons
Bailey	Denton	Holmes	Sanders
Barron	Dial	Langford	Smith (J)
Bedford	Ellis	Little	Strong
Bedsole	Figures	Menton	Teague
Bennett	Foshee		

*Nays:* —0

And said Bill, H. B. 153, as thus amended by the substitute, was read a third time at length as required by the Constitution, and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Hand	Mitchem	
Amari	Corbett	Hilliard	Parsons	
Bailey	Denton	Holmes	Sanders	
Barron	Dial	Langford	Smith (J)	
Bedford	Ellis	Little	Strong	
Bedsole	Figures	Menton	Teague	
Bennett	Foshee			—25

*Nays:* —0

The Bill:

H. 179. Relating to Limestone County; to provide for appointment of a county license commissioner by the county commission in lieu of the county license commission authorized by Act No. 746, H. 757 of the 1978 Regular Session (Acts 1978, p. 1089); to prescribe the duties, compensation and term of such commissioner; to abolish the office of county license inspector and transfer such duties to the newly appointed license commissioner; to provide that such commissioner shall perform certain duties heretofore performed by the tax assessor, tax collector and judge of probate; to prescribe certain fees, charges and commissions to be collected by such commissioner and provide for disposition of the proceeds thereof; to provide for certain reports relating to such collections and to prescribe certain penalties for violations relating to licenses.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Goodwin	Menton	
Amari	Corbett	Hand	Mitchem	
Bailey	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Ellis	Langford	Smith (J)	
Bedsole	Figures	Little	Teague	
Bennett	Foshee			—25

*Nays:* —0

The Bill:

H. 196. Relating to selling and redeeming lands for taxes in Barbour County, Alabama.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Barron	Bennett	Denton
Amari	Bedford	Bishop	Dial
Bailey	Bedsole	Corbett	Ellis

Figures	Holmes	Parsons	Smith (J)	
Foshee	Little	Sanders	Strong	
Goodwin	Menton	Smith (B)	Teague	
Hand	Mitchem			—25
Nays:				—0

The Bill:

H. 128. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; prescribing the duties and setting the salaries for such clerks; and repealing Act No. 119, H. 115, 1978 Second Special Session (Acts 1978, p. 1835), relating to compensation for such clerks.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bishop	Goodwin	Menton	
Amari	Corbett	Hand	Mitchem	
Bailey	Denton	Hilliard	Parsons	
Barron	Dial	Holmes	Sanders	
Bedford	Ellis	Langford	Strong	
Bedsole	Figures	Little	Teague	
Bennett	Foshee			—25
Nays:				—0

The Bill:

H. 73. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the City of Mobile Reception Room Committee for furnishing the Mobile City Hall reception room, from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1984, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

was taken up.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, H. B. 73, to-wit:

#### COMMITTEE AMENDMENT TO H. B. 73

Amend House Bill 73 on Page 1, Line 24, by striking the figure "\$7500" and inserting in lieu thereof the figure "\$5000".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

Nays: —0

And said Bill, H. B. 73, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays: —0

The Bill:

H. 108. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after May 7, 1984.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays: —0

The Bill:

H. 96. Relating to Mobile County; exempting all real and personal property owned and used as community centers, ball parks and recreational facilities by nonprofit businesses and corporations from all county ad valorem taxation.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays:

—0

**BILL RECONSIDERED**

On motion of Senator Bishop, the Senate reconsidered the vote by which the Bill, H. B. 179, was passed.

On motion of Senator Bishop, further consideration of the Bill, H. B. 179, was postponed subject to the call of the Chair.

**BILLS ON THIRD READING RESUMED**

The Bill:

H. 95. Relating to Mobile County; requiring the county governing body to pay from the county general fund, or any fund designated for roads or bridges, the expense of relocating certain water pipes and lines, owned by rural water or municipal water systems when outside of the municipalities' police jurisdiction, as a result of certain public roads maintenance, construction, bridge repair or replacement; and repealing conflicting laws.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays:

—0

The Bill:

H. 93. To amend Section 1 of Act No. 319, H. 593, of the 1976 Regular Session (Acts 1976, p. 353), which provided for a mosquito, rodent and other vector control ad valorem tax in Mobile County, so as to provide further for certain exemptions from such tax.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays:

—0

The Bill:

H. 66. To amend Section 1 of Act No. 82-374, H. 727, 1982 Regular Session of the Legislature (Acts 1982, p. 549), which act relates to the Mo-

bile County board of registrars, so as to provide further for the meeting dates of such board for voter registration and voter reidentification purposes.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

Nays: —0

The Bill:

H. 65. To amend section 2 of Act No. 181, H. 117, Regular Session 1957, (Acts 1957, p. 233), relating to Mobile County governing body, so as to require that each candidate for county commissioner must have resided within the district for which he qualifies a certain minimum period, and each county commissioner must reside within the respective district he represents during the term of office or forfeit the job.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

Nays: —0

The Bill:

H. 64. Relating to Mobile County, to amend further Section 5 of an Act No. 242, S. B. 79, 1876 of the general assembly approved February 15, 1876 which regulates public schools in the County, as last amended by Act No. 480, S. 485, 1969 Regular Session (Acts 1969, p. 937), which relates to the county board of education.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Bedsole	Denton	Hand
Aldridge	Bishop	Dial	Holmes
Amari	Cabaniss	Ellis	Langford
Bailey	Corbett	Figures	Little
Barron	Covington	Goodwin	Menton

Parsons	Smith (B)	Strong	Teague	
Sanders	Smith (J)			—25
Nays:				—0

The Bill:

H. 63. Relating to Mobile County; authorizing the county commission to extend, by resolution, the meeting days of the board of registrars during certain months as merited by certain circumstances and providing that this act shall be retroactive to May 1, 1982.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

Nays:	—0
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The Bill:

H. 94. Relating to Mobile County; providing that any political subdivision or agency of such subdivision within the county shall solicit competitive bids when leasing any warehouse, storage, shop, office space or land from or to any individual, association, corporation, partnership or other business entity and prescribing certain bid procedures.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

Nays:	—0
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### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 122. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama of 1975, as amended, to establish an



effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Also:

H. 131. To provide for the department of public safety to issue special nondriver identification cards for retarded persons and to prescribe a certain issuance fee for such cards with the proceeds from such fees earmarked to said department.

Also:

H. 175. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country and to provide retroactive effect.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### **REPORT OF COMMITTEE ON RULES**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 123. To protect, preserve, maintain, and enhance the scenic, recreational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.

CHARLES BISHOP,  
Chairperson.

### **BILLS ON THIRD READING RESUMED**

The Bill:

H. 172. Relating to the City of Mobile; amending Section 22 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to allow any member of the system to withdraw from participation at any time.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0

### RESOLUTION

Senators Little and Cabaniss offered the following Senate Joint Resolution, to-wit:

S. J. R. 91. PROVIDING FURTHER FOR LEGISLATIVE MEETING DATES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Thursday, June 7, 1984, we recess, without pay, to meet again at 12:00 Noon on June 18, 1984.

Which was read and referred to the Standing Committee on Rules.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 166. To provide for an adjustment in certain benefits paid under the pension and relief system for policemen and firemen of the City of Mobile to retired members of such system who retired after October 1, 1977, and before May 4, 1978.

was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0

The Bill:

H. 155. Relating to Mobile County; authorizing the judge of probate to sell lists of voters to certain candidates and providing for the disposition of funds from said sales.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays: —0

The Bill:

H. 107. To further provide for the City of Prichard Water Works and Sewer Board; to amend Act No. 161, S. 171 of the 1957 Regular Session (Acts 1957, p. 210), Sections 1 through 24, which created the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the board) and The Water Works and Sewer Board Employees' Pension and Relief Fund; provided for the setting apart of such funds; created a pension and relief system applicable to all permanent employees of such board; provided for appropriation from the board to make up any deficit in Pension and Relief Fund; provided for the placement and handling of such funds and the handling of applications therefor and operation of such system; exempted such funds from being subject to garnishment or levy or sale under execution or otherwise; provided payment for disabled and retired employees of such board; provided for the appropriation for funeral expenses upon the death of any employee of the board; provided for gifts, donations, legacies to such fund and for the appointment of trustees and for the creation of a Board of Pensions for all purposes in connection herewith; provided penalties for the violations of its provisions.

was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Senators:	Cabaniss	Goodwin	Parsons
Aldridge	Corbett	Hand	Sanders
Amari	Covington	Holmes	Smith (B)
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedsole	Ellis	Menton	Teague
Bishop	Figures		

—25

Nays: —0

The Bill:

S. 29. Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of government; and providing for penalties for violations of certain provisions of this Act.

was taken up.

The Standing Committee on Local Legislation No. 3 reported the following amendment to the Bill, S. B. 29, to-wit:

**COMMITTEE AMENDMENT TO S. B. 29**

Amend Senate Bill 29, page 1, Section 2 on line 27 by striking out "25" after the word September and inserting in lieu thereof the figure "4"

Further amend Senate Bill 29, page 3, Section 6, lines 5 and 6 by striking out "February 5, 1985" and inserting in lieu thereof "November 6, 1984"

Further amend Senate Bill 29, page 4, Section 7, line 2 by striking out "April 1, 1985" and inserting in lieu thereof "the first Monday in January"

Further amend Senate Bill 29, page 4, Section 9, line 22 by striking out "April 1, 1985" and inserting in lieu thereof "the first Monday in January"

Further amend Senate Bill 29, page 13, Section 25, line 30 by striking out "April 1, 1985" and inserting in lieu thereof "the first Monday in January"

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0

And said Bill, S. B. 29, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Parsons	
Aldridge	Corbett	Hand	Sanders	
Amari	Covington	Holmes	Smith (B)	
Bailey	Denton	Langford	Smith (J)	
Barron	Dial	Little	Strong	
Bedsole	Ellis	Menton	Teague	
Bishop	Figures			—25

*Nays:* —0

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Venable:

H. J. R. 40. CREATING A JOINT INTERIM COMMITTEE TO STUDY ALABAMA'S ELECTION LAWS.

Also:

By Reps. Rice and Butler:

H. J. R. 120. CREATING A JOINT INTERIM COMMITTEE TO STUDY ECONOMIC TRENDS AND CHANGES.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolutions, H. J. R.'s 40 and 120, set out in the foregoing Message from the House, were read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Rep. Zoghby:

H. J. R. 123. COMMENDING FATHER FRANCIS VINCENT CUSACK UPON THE THIRTIETH ANNIVERSARY OF HIS ORDINATION TO THE PRIESTHOOD.

Also:

By Rep. Zoghby:

H. J. R. 124. COMMEMORATING TWENTY-FIVE YEARS OF SERVICE BY THE SISTERS OF MERCY TO SAINT PIUS X PARISH IN MOBILE, ALABAMA.

Also:

By Reps. Kennedy, Clark (W), Buskey (James), Holmes, Buskey (John), Bryant, Black, Grayson, Horn, Spratt, Perdue, Rogers, McDowell, Melton, Reed, Escott, McNair, Davis, and Thomas:

H. J. R. 127. COMMENDING MISS DEBRA ANN HUNTLEY FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator Langford, the Rules were suspended and the Resolutions, H. J. R.'s 123, 124, and 127, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 33. Relating to Butler County; to provide for the distribution of certain beer tax proceeds.

was taken up.

On motion of Senator Parsons, further consideration of the Bill, H. B. 33, was postponed subject to the call of the Chair.

### RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 92. RESOLVED BY THE SENATE That the following bills in the order named shall be the paramount and continuing order of business taking precedence over all other matters upon reaching bills on third reading for the ninth legislative day of the 1984 First Special Session only:

Inst Id		Page
H. 86	Brd. of Registrars, meeting days, based on fiscal yr. Sec. 17-4-156 am'd	38
H. 208	Industrial Dev. Auth., grants to econ. councils auth., Act 83-925, 4th Spec. Sess., 1983, am'd	25

On motion of Senator Parsons, the Resolution was then adopted by the Senate.

Senators Hilliard and Bennett offered the following Senate Joint Resolution, to-wit:

S. J. R. 93. PROVIDING FURTHER FOR THE DISTRIBUTION OF THE JEFFERSON COUNTY LEGISLATIVE FUND.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the existing Jefferson County Legislative Delegation Office, located in Birmingham, Alabama, is hereby abolished, to be effective 30 days after notice to the Chamber of Commerce is given. Provided, however, that the functions of said office shall be phased-out over a period not to exceed three months from the effective date of this act; each clerical employee shall receive severance pay in an amount not less than three month's salary each. All expenses, salaries, debts and contracts shall be paid from the funds in the "Legislative Fund".

RESOLVED FURTHER, That commencing on the first day of the month after passage of this resolution, and on the first day of each month thereafter, each member of the Jefferson County Legislative Delegation shall be paid a monthly expense allowance in the sum of \$200.00 by the county treasurer; the county treasurer is directed to pay such allowance from the "Legislative Fund", established pursuant to Section II (b) of Act No. 639, H. 1646, Regular Session 1973 (Acts 1973, p. 946).

Which was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Reps. Hooper and Mikell:

H. J. R. 128. MEMORIALIZING CONGRESS TO PURSUE THE CONCEPT OF "HIGH FRONTIER" TECHNOLOGY AS AN EFFECTIVE METHOD FOR ELIMINATING THE THREAT OF NUCLEAR WAR.

WHEREAS, the people of the State of Alabama are dedicated to the concept of world peace; and

WHEREAS, the current trend toward mutually assured destruction characterized by the stockpiling of nuclear weapons by the United States and the Soviet Union is an ever present threat to world peace; and

WHEREAS, there is developing technology which will in the future provide for the construction of a non-nuclear defense system which will protect the United States against a nuclear first strike by the Soviet Union or any other hostile power; and

WHEREAS, the system, commonly called "High Frontier" technology, involves the use of satellites to intercept and destroy nuclear missiles targeted on the United States or the territories of its allies; and

WHEREAS, the use of such a system would not mean that the nuclear retaliatory capabilities of the United States would be abandoned or neglected; and

WHEREAS, the United States can take the first step in an effort to assure world peace and mutually assured survival while still protecting its people from the threat of nuclear war through the use of "High Frontier" technology; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress is urged to take the first step toward achieving world peace and mutually assured survival by actively pursuing the concept of "High Frontier" technology as an effective method of eliminating the threat to world peace caused by the proliferation of nuclear weapons.

BE IT FURTHER RESOLVED, That copies of this resolution be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation to the United States Congress.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 128, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 14. Relating to Madison County; amending Act No. 951, H. 2010, 1973 Regular Session, (Acts 1973, p. 1459) which provides for the meeting days of the board of registrars, so as to increase said days.

Also:

H. 41. Relating to Tallapoosa County; amending Section 2 of Act No. 32, S. 62, Regular Session 1967 (Acts 1967, p. 363), relating to compensation for members of the board of registrars, so as to regulate further said supplement, and to provide for mileage; providing for retroactive effect; and re-

pealing Act No. 80-681, H. 1125, Regular Session 1980 (Acts 1980, p. 1367), Act No. 80-784, S. 606, Regular Session 1980 (Acts 1980, p. 1681), and Act No. 111, H. 86, 2nd Special Session 1978 (Acts 1978, p. 1827), relating to such salary and mileage.

Also:

H. 108. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after May 7, 1984.

Also:

H. 128. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; prescribing the duties and setting the salaries for such clerks; and repealing Act No. 119, H. 115, 1978 Second Special Session (Acts 1978, p. 1835), relating to compensation for such clerks.

Also:

H. 130. Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

Also:

H. 139. Relating to Blount County; to create a motor vehicle license division within the Revenue Commissioner's office for the issuance of motor vehicle licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of motor vehicle licenses by the Revenue Commissioner's office; to transfer certain duties now performed by the Probate Judge to said Revenue Commissioner, and to provide for the compensation of the Revenue Commissioner.

Also:

H. 142. Relating to Blount County; to require the placing of the name and address of certain parties on legal documents filed for record in the probate office; to relieve the judge of probate from damages or penalty for any error or mistake in the performance of the duties prescribed by this Act.

Also:

H. 196. Relating to selling and redeeming lands for taxes in Barbour County, Alabama.

Also:

H. J. R. 83. DIRECTING THE PERMANENT ALABAMA OIL AND GAS STUDY COMMITTEE TO PERFORM CERTAIN FUNCTIONS RELATIVE TO THE PROPOSED AUGUST 14, 1984, OFF-SHORE OIL AND GAS LEASE LETTING.

JOHN W. PEMBERTON,  
Clerk.



## SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolution, the titles of which are set out in the foregoing Message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

Senator Goodwin moved that the Senate non-concur in the following House amendment to the Bill, S. B. 97, the title of which is set out in the foregoing Message from the House, to-wit:

## HOUSE AMENDMENT TO S. B. 97

Amend Senate Bill 97 on page 13, line 35 by inserting after the word "expenses." the following sentence: "Provided however, at least 15% of all legal fees authorizes by this section shall be paid to black attorneys."

and request a Committee on Conference.

Senator Hilliard offered a substitute motion that the Senate concur in and adopt the House amendment to the Bill, S. B. 97.

On motion of Senator Goodwin, the motion to concur was laid on the table.

The question was then on the motion of Senator Goodwin that the Senate non-concur in the House amendment to the Bill, S. B. 97, and request a Committee on Conference, which motion was adopted.

Yeas 13; Nays 8.

Yeas:

Senators:	Covington	Foshee	Holmes
Barron	deGraffenried	Goodwin	Strong
Bedsole	Denton	Hand	Teague
Cabaniss	Ellis		

—13

Nays:

Senators:	Corbett	Hilliard	Sanders
Aldridge	Figures	Langford	Smith (J)
Bailey			

—8

And the President Pro Tempore of the Senate appointed as Committee on part of the Senate Senators Goodwin, Sanders, and Foshee.

## MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 63. Relating to Mobile County; authorizing the county commission to extend, by resolution, the meeting days of the board of registrars during certain months as merited by certain circumstances and providing that this act shall be retroactive to May 1, 1982.

Also:

H. 64. Relating to Mobile County, to amend further Section 5 of an Act No. 242, S. B. 79, 1876 of the general assembly approved February 15, 1876 which regulates public schools in the County, as last amended by Act No. 480, S. 485, 1969 Regular Session (Acts 1969, p. 937), which relates to the county board of education.

Also:

H. 65. To amend section 2 of Act No. 181, H. 117, Regular Session 1957, (Acts 1957, p. 233), relating to Mobile County governing body, so as to require that each candidate for county commissioner must have resided within the district for which he qualifies a certain minimum period, and each county commissioner must reside within the respective district he represents during the term of office or forfeit the job.

Also:

H. 66. To amend Section 1 of Act No. 82-374, H. 727, 1982 Regular Session of the Legislature (Acts 1982, p. 549), which act relates to the Mobile County board of registrars, so as to provide further for the meeting dates of such board for voter registration and voter reidentification purposes.

Also:

H. 93. To amend Section 1 of Act No. 319, H. 593, of the 1976 Regular Session (Acts 1976, p. 353), which provided for a mosquito, rodent and other vector control ad valorem tax in Mobile County, so as to provide further for certain exemptions from such tax.

Also:

H. 94. Relating to Mobile County; providing that any political subdivision or agency of such subdivision within the county shall solicit competitive bids when leasing any warehouse, storage, shop, office space or land from or to any individual, association, corporation, partnership or other business entity and prescribing certain bid procedures.

Also:

H. 95. Relating to Mobile County; requiring the county governing body to pay from the county general fund, or any fund designated for roads or bridges, the expense of relocating certain water pipes and lines, owned by rural water or municipal water systems when outside of the municipalities' police jurisdiction, as a result of certain public roads maintenance, construction, bridge repair or replacement; and repealing conflicting laws.

Also:

H. 96. Relating to Mobile County; exempting all real and personal property owned and used as community centers, ball parks and recreational facilities by nonprofit businesses and corporations from all county ad valorem taxation.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### RESOLUTION

Senator Smith (J) offered the following Senate Resolution, to-wit:

S. R. 94. COMMENDING MR. DAVID LAWRENCE SIMPSON OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING COMMUNITY SERVICE.

Which was adopted.

**SPECIAL ORDER**  
**BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the special, paramount, and continuing order of business for today, the first of which was the Bill:

H. 86. To amend Section 17-4-156 of the Code of Alabama 1975, relating to sessions of boards of registrars and working days for such boards, so as to provide that such sessions and working days shall be based on the fiscal year beginning October 1, 1984, and thereafter.

And said Bill, H. B. 86, was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

Senators:	Cabaniss	Goodwin	Mitchem	
Aldridge	deGraffenried	Hand	Parsons	
Barron	Denton	Holmes	Smith (J)	
Bedsole	Ellis	Langford	Strong	
Bennett	Foshee	Little	Teague	—19

*Nays:* —0

The Bill:

H. 208. To amend Section 3 of Act 83-925, S. 11, 1983 Fourth Special Session (Acts of Alabama 3rd and 4th Special Sessions 1983, p. 207) which authorizes a bond issuance by the state industrial development authority and to provide certain additional powers and duties of the authority, so as to authorize the authority to make certain grants of money to economic development councils.

was read a third time at length and passed.

Yeas 19; Nays 0.

*Yeas:*

Senators:	deGraffenried	Goodwin	Mitchem	
Aldridge	Denton	Hand	Parsons	
Bedsole	Dial	Holmes	Smith (J)	
Bennett	Ellis	Langford	Strong	
Cabaniss	Foshee	Little	Teague	—19

*Nays:* —0

**RESOLUTION**

Senator Dial offered the following Senate Resolution, to-wit:

S. R. 95. COMMENDING MR. JOSEPH O. CLELAND UPON HIS RETIREMENT FROM STATE SOIL CONSERVATION SERVICE.

Which was adopted.

**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 107. To further provide for the City of Prichard Water Works and

Sewer Board; to amend Act No. 161, S. 171 of the 1957 Regular Session (Acts 1957, p. 210), Sections 1 through 24, which created the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the board) and The Water Works and Sewer Board Employees' Pension and Relief Fund; provided for the setting apart of such funds; created a pension and relief system applicable to all permanent employees of such board; provided for appropriation from the board to make up any deficit in Pension and Relief Fund; provided for the placement and handling of such funds and the handling of applications therefor and operation of such system; exempted such funds from being subject to garnishment or levy or sale under execution or otherwise; provided payment for disabled and retired employees of such board; provided for the appropriation for funeral expenses upon the death of any employee of the board; provided for gifts, donations, legacies to such fund and for the appointment of trustees and for the creation of a Board of Pensions for all purposes in connection herewith; provided penalties for the violations of its provisions.

Also:

H. 155. Relating to Mobile County; authorizing the judge of probate to sell lists of voters to certain candidates and providing for the disposition of funds from said sales.

Also:

H. 166. To provide for an adjustment in certain benefits paid under the pension and relief system for policemen and firemen of the City of Mobile to retired members of such system who retired after October 1, 1977, and before May 4, 1978.

Also:

H. 172. Relating to the City of Mobile; amending Section 22 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to allow any member of the system to withdraw from participation at any time.

Also:

H. J. R. 123. COMMENDING FATHER FRANCIS VINCENT CUSACK UPON THE THIRTIETH ANNIVERSARY OF HIS ORDINATION TO THE PRIESTHOOD.

Also:

H. J. R. 124. COMMEMORATING TWENTY-FIVE YEARS OF SERVICE BY THE SISTERS OF MERCY TO SAINT PIUS X PARISH IN MOBILE, ALABAMA.

Also:

H. J. R. 127. COMMENDING MISS DEBRA ANN HUNTLEY FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

JOHN W. PEMBERTON,  
Clerk.

### **SIGNING OF BILLS AND RESOLUTIONS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-

thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 29. Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of government; and providing for penalties for violations of certain provisions of this Act.

CHARLES BISHOP,  
Chairperson.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the Senate Bill:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain

levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

And the Speaker of the House has appointed as Committee on the part of the House Reps. Holmes, Johnson (Roy) and Starkey.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 86. To amend Section 17-4-156 of the Code of Alabama 1975, relating to sessions of boards of registrars and working days for such boards, so as to provide that such sessions and working days shall be based on the fiscal year beginning October 1, 1984, and thereafter.

Also:

H. 208. To amend Section 3 of Act 83-925, S. 11, 1983 Fourth Special Session (Acts of Alabama 3rd and 4th Special Sessions 1983, p. 207) which authorizes a bond issuance by the state industrial development authority and to provide certain additional powers and duties of the authority, so as to authorize the authority to make certain grants of money to economic development councils.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

### REPORT FROM RULES

Senator Bishop, Chairperson of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 105. AMENDING ACT NO. 84-133, H. J. R. 3 OF THE REGULAR SESSION 1984, CREATING THE JOINT INTERIM STUDY COMMITTEE TO STUDY THE STEEL INDUSTRY, SO AS TO INCREASE ITS MEMBERSHIP.

On motion of Senator Foshee, further consideration of the Resolution, H. J. R. 105, was postponed subject to the call of the Chair.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate Bill and returns same herewith to the Senate.

S. 2. To provide further salary increases for certain state employees and to appropriate funds therefor.

JOHN W. PEMBERTON,  
Clerk.

**HOUSE MESSAGE**

Senator Mitchem moved that the Senate concur in and adopt the following House amendment to the Bill, S. B. 2, the title of which is set out in the foregoing Message from the House, to-wit:

**SUBSTITUTE FOR S. B. 2****A BILL  
TO BE ENTITLED  
AN ACT**

To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1985.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning on October 1, 1984, all state employees who are listed in the classified and unclassified service of the state as defined in Section 36-26-10, Code of Alabama 1975, and all other state employees and all hourly employees of the state, except those set out in Section 2 herein, and all legislative personnel, officers and employees, including but not limited to Legislative Reference Service personnel, whether subject to the state merit system or not, and all circuit clerks and registers and state judges, except as provided in Section 2 herein, and all employees of the county health departments who are employed subject to the state merit system and whose compensation is paid out of a budget provided and agreed upon by the state, county, or other contributing agency under the direction of the state board of health shall receive a 10% salary increase. Any cost-of-living increase granted under the provisions of this Act shall in no way apply to any local supplement provided to any judges or any other employee of this state. All such increases shall be in addition to the salary received by such employees. It is the intention of the legislature that the Governor is hereby authorized to transfer such amounts to, from, and between such departments, boards, bureaus, commissions, agencies, offices, and institutions under his direct control for the purposes of paying the salary increase for state employees and officials.

Section 2. The provisions of this Act shall not apply to any merit system employee or hourly employee whose service or rates of pay are covered by any labor agreement or contract, nor shall this Act apply to state judges whose salaries are payable from the state treasury if such judges' salaries are increased under and by virtue of: (1) The recommendations contained in the Report of the Judicial Compensation Commission to the 1984 Regular Session of the legislature becoming law; or (2) the enactment into law of legislation altering and amending said report; or (3) any other legislation enacted into law during the 1984 Regular or Special sessions of the legislature.



Section 3. The director of the state personnel department shall revise the schedule or rates set forth in the pay plan for state employees and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to court officials and employees within the Unified Judicial System who serve the trial and appellate courts of the state and the Administrative Office of Courts, the Administrative Director of Courts shall revise the schedule of rates set forth in the pay plan for such court officials and employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith. With respect to legislative employees, the secretary of the senate for senate employees, the clerk of the house of representatives for house employees, the director of the Legislative Reference Service for Legislative Reference Service employees, and the director of the Legislative Fiscal Office for Legislative Fiscal Office employees shall revise the schedule or rates set forth in the pay plan for such legislative employees to reflect the increase provided herein, and shall certify the same to the state comptroller, who shall issue warrants in accordance therewith.

Section 4. Such amounts as may be necessary to pay state employees the increased salaries provided herein are hereby appropriated for the fiscal year beginning October 1, 1984, from such funds as the salaries of the several state employees are paid.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 7. This Act shall become effective on September 17, 1984, with the first payment on October 12, 1984, for all employees covered by this Act who are paid bi-weekly, and effective on October 1, 1984, for all employees covered by this Act whose salaries are set annually and who are paid semi-monthly, and upon approval by the Governor, or upon its otherwise becoming a law.

#### **HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 2**

Amend S. B. 2 on page 1 line 33 after the word "state." by adding the following sentence. "The provisions of this bill shall not apply to any local employee whose salary is tied to that of any state employee."

#### **HOUSE AMENDMENT TO SUBSTITUTE FOR S. B. 2, AS AMENDED**

Amend S. B. 2 as substituted on page 2, line 12 by adding the following sentence. "In the event that any circuit clerk or register receives a salary increase greater than 10 percent under the provisions of Senate Bill 7 as passed in the 1984 First Special Session, that circuit clerk or register will not be covered under the provisions of this bill. Any and all other circuit clerks or registers will be eligible to receive a salary increase up to 10 percent under the provisions of this bill."

Senator Parsons offered a substitute motion that the Senate non-concur in the House amendment and request a Committee on Conference.

On motion of Senator Mitchem, the motion to non-concur was laid on the table.

Yeas 17; Nays 6.

*Yeas:*

Senators:	Corbett	Goodwin	Menton
Barron	Denton	Hand	Mitchem
Bedsole	Ellis	Holmes	Strong
Bennett	Figures	Little	Teague
Cabaniss	Foshee		

—17

*Nays:*

Senators:	Amari	deGraffenried	Sanders
Aldridge	Covington	Parsons	

—6

The question was then on the motion of Senator Mitchem that the Senate concur in and adopt the House amendment to the Bill, S. B. 2, which motion was adopted.

Yeas 23; Nays 2.

*Yeas:*

Senators:	Bennett	Figures	Little
Aldridge	Corbett	Foshee	Menton
Amari	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hand	Sanders
Bedford	Denton	Holmes	Strong
Bedsole	Ellis	Langford	Teague

—23

*Nays:*

Senators:	Cabaniss	Parsons
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—2

**REPORT OF CONFERENCE COMMITTEE**

To the Members of the Legislature:

We, your conferees, appointed to reconcile the differences between the two Houses on the House amendment to, the bill, S. B. 97, beg leave to report as follows:

We suggest that the House recede from its amendment and that both houses pass the bill as passed by the Senate.

SENATOR EARL GOODWIN,

SENATOR E. C. "CRUM" FOSHEE,

(Conferees on part of the Senate).

REP. ROY JOHNSON,

REP. NELSON STARKEY,

(Conferees on part of the House).

**MINORITY REPORT ON CONFERENCE COMMITTEE**

To the Members of the Legislature:

We, your conferees, appointed to reconcile the differences between the two Houses on the House amendment to, the bill, S. B. 97, beg leave to report as follows:

We suggest that the House amendment be accepted by both Houses. In

the alternative, we suggest that all legal work be awarded by competitive bids.

SENATOR HANK SANDERS,  
(Conferee on part of the Senate).  
REP. ALVIN HOLMES,  
(Conferee on part of the House).

### CONFERENCE REPORT

On motion of Senator Goodwin, the Senate concurred in and adopted the foregoing Majority Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Yeas 21; Nays 3.

Yeas:

Senators:	Bishop	Ellis	Little
Amari	Cabaniss	Foshee	Menton
Bailey	Covington	Goodwin	Mitchem
Barron	deGraffenried	Hand	Strong
Bedford	Denton	Holmes	Teague
Bennett	Dial		

*Nays:* Senators: Figures, Langford and Sanders

—3

### FURTHER CONSIDERATION OF H. B. 33

The Senate proceeded to further consideration of the Bill, H. B. 33.

And said Bill, H. B. 33, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bishop	Foshee	Menton
Amari	Cabaniss	Goodwin	Mitchem
Bailey	Covington	Hand	Parsons
Barron	Denton	Holmes	Sanders
Bedford	Dial	Langford	Strong
Bedsole	Ellis	Little	Teague
Bennett	Figures		

—25

*Nays:*

—0

### FURTHER CONSIDERATION OF H. B. 179

The Senate proceeded to further consideration of the Bill, H. B. 179.

And said Bill, H. B. 179, was again read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Senators:	Bennett	Foshee	Mitchem
Aldridge	Cabaniss	Hand	Parsons
Amari	Corbett	Holmes	Sanders
Bailey	Denton	Langford	Smith (J)
Barron	Dial	Little	Strong
Bedford	Ellis	Menton	Teague
Bedsole	Figures		

—25

*Nays:*

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendments to the following House Bills:

H. 153. Proposing an amendment to the Constitution of Alabama 1901, providing for the membership, manner of election and terms of the members of the board of education for Macon County, Alabama and providing that this amendment shall be self-executing.

Also:

H. 73. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the City of Mobile Reception Room Committee for furnishing the Mobile City Hall reception room, from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1984, from the additional state sales tax

levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 21. EXPRESSING LEGISLATIVE SUPPORT FOR THE POSSIBLE PURCHASE OF THE REVERE COPPER AND BRASS PLANT AT SCOTTSBORO, ALABAMA.

Also:

S. J. R. 51. DESIGNATING DALE COUNTY HIGHWAY 60 AS THE "PAYNE-WATSON HIGHWAY."

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 79. RELATIVE TO THE PRINTING OF THE ACTS AND JOURNALS OF 1984.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 23. COMMENDING THE GULF STATES PAPER CORPORATION, 1884-1984.

Also:

S. J. R. 24. MOURNING THE DEATH OF JUDGE LECIL D. GRAY OF TUSCALOOSA, ALABAMA.

Also:

S. J. R. 28. CONGRATULATING MR. AND MRS. GENE GREEN ON THE OCCASION OF THEIR 30TH WEDDING ANNIVERSARY.

Also:

S. J. R. 41. COMMENDING KEN MOSELEY AND TODD STETTLER, MONTGOMERY, ALABAMA, FOR AIDING LAW ENFORCEMENT, AND URGING RECOGNITION.

Also:

S. J. R. 42. COMMENDING STATE REPRESENTATIVE

LUCIUS BLACK FOR OUTSTANDING SERVICE TO THE SUMTER COUNTY SCHOOL SYSTEM.

Also:

S. J. R. 47. CONGRATULATING MR. AND MRS. J. FOY COVINGTON ON THEIR FORTHCOMING 50TH WEDDING ANNIVERSARY.

Also:

S. J. R. 49. COMMENDING EMERGENCY MEDICAL TECHNICIAN JIMMY LANGLEY OF CLEBURNE COUNTY, ALABAMA.

Also:

S. J. R. 56. DESIGNATING DALE COUNTY HIGHWAY 40 AS THE "GASTON BLANKENSHIP ROAD."

Also:

S. J. R. 68. COMMENDING MRS. SARAH H. RODGERS, 1984 TUSCALOOSA COUNTY CITIZEN OF THE YEAR.

Also:

S. J. R. 71. COMMENDING MR. AUSTIN BATTLE ON BEING THE WINNER OF THE ELMORE COUNTY OLDER AMERICAN AWARD AT THE AGE OF 104.

Also:

S. J. R. 83. COMMENDING THE REVEREND JAMES A. GRIFFIN, JUNIOR, PASTOR OF GULF SHORES UNITED METHODIST CHURCH.

Also:

S. J. R. 88. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.

Also:

S. J. R. 86. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.

JOHN W. PEMBERTON,  
Clerk.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 2. To provide further a salary increase for certain state employees and to appropriate funds therefor for the fiscal year ending September 30, 1985.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the

reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bill, the title of which is set out in the foregoing report from the Committee on Rules.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 58. CREATING A JOINT INTERIM COMMITTEE OF COUNTY GOVERNMENT.

Also:

S. J. R. 80. ESTABLISHING A LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY PROPOSED CO-EMPLOYEES' LAWSUITS.

Also:

S. J. R. 77. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE PARKS.

JOHN W. PEMBERTON,  
Clerk.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the amendment to the bill:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to

adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,  
Clerk.

### POINT OF PERSONAL PRIVILEGE

Senator Smith (J) requested that the Journal show that had he been present when the vote was taken on concurrence of the House amendment to the Bill, S. B. 2, he would have voted "Aye".

### MESSAGE FROM THE HOUSE

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 73. Relating to Mobile County; providing for a singular appropriation, in addition to any and all other appropriations, to the City of Mobile Reception Room Committee for furnishing the Mobile City Hall reception room, from funds received by the county for the City of Mobile, for the fiscal year ending September 30, 1984, from the additional state sales tax levied on alcoholic beverages by Sections 28-3-280 and 28-3-281, Code of Alabama 1975.

Also:

H. 153. Proposing an amendment to the Constitution of Alabama 1901, providing for the membership, manner of election and terms of the members of the board of education for Macon County, Alabama and providing that this amendment shall be self-executing.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.



**MESSAGE FROM THE HOUSE**

Mr. President Pro Tem:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 33. Relating to Butler County; to provide for the distribution of certain beer tax proceeds.

Also:

H. 179. Relating to Limestone County; to provide for appointment of a county license commissioner by the county commission in lieu of the county license commission authorized by Act No. 746, H. 757 of the 1978 Regular Session (Acts 1978, p. 1089); to prescribe the duties, compensation and term of such commissioner; to abolish the office of county license inspector and transfer such duties to the newly appointed license commissioner; to provide that such commissioner shall perform certain duties heretofore performed by the tax assessor, tax collector and judge of probate; to prescribe certain fees, charges and commissions to be collected by such commissioner and provide for disposition of the proceeds thereof; to provide for certain reports relating to such collections and to prescribe certain penalties for violations relating to licenses.

JOHN W. PEMBERTON,  
Clerk.

**SIGNING OF BILLS**

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills, the titles of which are set out in the foregoing Message from the House.

**MESSAGE FROM THE HOUSE**

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 99. To amend 1975 Code of Alabama, Section 41-9-71, to conform to current operating procedures and laws which have been revised since passage of this act in 1935.

Also:

S. 110. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1985, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

S. 14. To provide that certain legislative employees shall be eligible to participate as members in the state employees' retirement system of Alabama and in the state employees' health insurance plan; to provide the eligibility of such employees and contributions required from the employee

and employer; to permit certain such legislative employees to purchase certain prior creditable service on a pro rata basis for the retirement system and the terms therefor.

Also:

S. 36. To allow persons seventeen years of age or older to donate blood without parental permission.

Also:

S. 4. To amend Sections 36-28-1, 36-28-3, 36-28-4, 36-28-5, 36-28-6, 36-28-7, 36-28-8, 36-28-9 and 36-28-10 of the Code of Alabama 1975, which provide for a state social security agency, so as to provide further for a state office of social security under the state comptroller and to provide for certain penalties to be assessed on certain delinquent social security accounts processed by such state office.

Also:

S. 19. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 72. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE BOARD OF EDUCATION.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Rep. Johnson (Roy):

H. J. R. 136. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Thursday, June 7, 1984, we adjourn sine die.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Senator deGraffenried, the Rules were suspended and the Resolution, H. J. R. 136, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President Pro Tem:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 99. To amend 1975 Code of Alabama, Section 41-9-71, to conform to current operating procedures and laws which have been revised since passage of this act in 1935.

Also:

S. 97. To make further provision for the financing and construction of public roads and bridges in the State by the issuance of bonds by the Alabama Highway Authority; to authorize the Authority to sell and issue from time to time not exceeding \$185,000,000 aggregate principal amount of matching fund revenue bonds in addition to those heretofore authorized to be issued by the Authority; to authorize the Authority to issue and sell refunding bonds to refund bonds at any time issued by the Authority or by Alabama Highway Finance Corporation, or either of them, and at the time outstanding; to provide for the details and the method of execution of the said bonds; to provide that the Authority shall determine the manner, terms and conditions of the sale or sales of the bonds, and to make provisions respecting such sale or sales and the permitted uses, applications and investments of the proceeds from the sale or sales thereof; to provide for the establishment, from such proceeds, of certain funds and for the use of such funds and any investment earnings thereon; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Authority pledged therefor in this Act; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide a mechanism for defeasance of said bonds; to appropriate and pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Authority to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for such purpose; to preserve prior pledges and covenants by the State; to adopt certain provisions of the act of the Legislature creating the Authority; to provide for a covenant of the Legislature not to reduce below certain levels appropriated and pledged taxes and fees while any of said bonds are outstanding and unpaid; to authorize the State Treasurer to disburse moneys pledged for payment of said bonds; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Also:

S. 110. Relating to the eradication and control of swine diseases; to make a conditional appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1985, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

S. 14. To provide that certain legislative employees shall be eligible to

participate as members in the state employees' retirement system of Alabama and in the state employees' health insurance plan; to provide the eligibility of such employees and contributions required from the employee and employer; to permit certain such legislative employees to purchase certain prior creditable service on a pro rata basis for the retirement system and the terms therefor.

Also:

S. 36. To allow persons seventeen years of age or older to donate blood without parental permission.

Also:

S. 19. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

Also:

S. 4. To amend Sections 36-28-1, 36-28-3, 36-28-4, 36-28-5, 36-28-6, 36-28-7, 36-28-8, 36-28-9 and 36-28-10 of the Code of Alabama 1975, which provide for a state social security agency, so as to provide further for a state office of social security under the state comptroller and to provide for certain penalties to be assessed on certain delinquent social security accounts processed by such state office.

Also:

S. J. R. 21. EXPRESSING LEGISLATIVE SUPPORT FOR THE POSSIBLE PURCHASE OF THE REVERE COPPER AND BRASS PLANT AT SCOTTSBORO, ALABAMA.

Also:

S. J. R. 28. CONGRATULATING MR. AND MRS. GENE GREEN ON THE OCCASION OF THEIR 30TH WEDDING ANNIVERSARY.

Also:

S. J. R. 41. COMMENDING KEN MOSELEY AND TODD STETTLER, MONTGOMERY, ALABAMA, FOR AIDING LAW ENFORCEMENT, AND URGING RECOGNITION.

Also:

S. J. R. 42. COMMENDING STATE REPRESENTATIVE LUCIUS BLACK FOR OUTSTANDING SERVICE TO THE SUMTER COUNTY BOARD OF EDUCATION.

Also:

S. J. R. 47. CONGRATULATING MR. AND MRS. J. FOY COVINGTON ON THEIR FORTHCOMING 50TH WEDDING ANNIVERSARY.

Also:

S. J. R. 49. COMMENDING EMERGENCY MEDICAL TECHNICIAN JIMMY LANGLEY OF CLEBURNE COUNTY, ALABAMA.

Also:

S. J. R. 51. DESIGNATING DALE COUNTY HIGHWAY 60 AS THE "PAYNE-WATSON HIGHWAY."

Also:

S. J. R. 56. DESIGNATING DALE COUNTY HIGHWAY 40 AS THE "GASTON BLANKENSHIP ROAD."

Also:

S. J. R. 58. CREATING A JOINT INTERIM COMMITTEE ON COUNTY GOVERNMENT.

Also:

S. J. R. 68. COMMENDING MRS. SARAH H. RODGERS, 1984 TUSCALOOSA COUNTY CITIZEN OF THE YEAR.

Also:

S. J. R. 71. COMMENDING MR. AUSTIN BATTLE ON BEING THE WINNER OF THE ELMORE COUNTY OLDER AMERICAN AWARD AT THE AGE OF 104.

Also:

S. J. R. 72. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE BOARD OF EDUCATION.

Also:

S. J. R. 77. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY THE STATE PARKS.

Also:

S. J. R. 79. RELATIVE TO THE PRINTING OF THE ACTS AND JOURNALS OF 1984.

Also:

S. J. R. 80. ESTABLISHING A LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY PROPOSED CO-EMPLOYEES' LAWSUITS.

Also:

S. J. R. 83. COMMENDING THE REVEREND JAMES A. GRIFFIN, JUNIOR, PASTOR OF GULF SHORES UNITED METHODIST CHURCH.

Also:

S. J. R. 86. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.

Also:

S. J. R. 88. COMMEMORATING JUNE 6, 1944, AND THE AMERICAN INVASION AT NORMANDY.

Also:

S. J. R. 23. COMMENDING THE GULF STATES PAPER CORPORATION, 1884-1984.

Also:

S. J. R. 24. MOURNING THE DEATH OF JUDGE LECIL D.  
GRAY OF TUSCALOOSA, ALABAMA.

CHARLES BISHOP,  
Chairperson.

### SIGNING OF BILLS AND RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Eighth and Ninth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

CHARLES BISHOP,  
Chairperson.

### COMMITTEE REPORT

On motion of Senator Bishop, the foregoing report was concurred in and the Journals of the Senate for the Eighth and Ninth Legislative Days were approved by the Senate.

### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 2

Delivered to the Governor June 7, 1984, at 4:30 P.M.

S. B. 99

S. B. 97

S. B. 110

S. B. 14

S. B. 36

S. B. 19

S. B. 4

S. J. R. 21

S. J. R. 28  
S. J. R. 41  
S. J. R. 42  
S. J. R. 47  
S. J. R. 49  
S. J. R. 51  
S. J. R. 56  
S. J. R. 58  
S. J. R. 68  
S. J. R. 71  
S. J. R. 72  
S. J. R. 77  
S. J. R. 79  
S. J. R. 80  
S. J. R. 83  
S. J. R. 86  
S. J. R. 88  
S. J. R. 24  
S. J. R. 23

Delivered to the Governor June 7, 1984, at 6:40 P.M.

McDOWELL LEE,  
Secretary of Senate.

### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

### ADJOURNMENT

At 6:15 P.M., on motion of Senator deGraffenried, the Senate adjourned sine die.

/s/ McDOWELL LEE,  
McDOWELL LEE,  
Secretary of Senate

## ROSTER OF THE SENATE OF ALABAMA

1984

Bill Baxley, Lieutenant Governor .....	State Capitol, Montgomery
John A. Teague, President Pro-Tem .....	Childersburg
McDowell Lee, Secretary .....	Montgomery
John D. Crawford, Assistant Secretary .....	Montgomery
Mrs. William R. Lawley, Jr., Chief Clerk .....	Montgomery
First Senatorial District	
Bobby Denton .....	Bank Independent, P.O. Drawer B, Sheffield 35660
Second Senatorial District	
Jim Smith .....	108-A South Side Square, Huntsville 35801
Third Senatorial District	
Gary L. Aldridge .....	210 E. Molton Street, Decatur 35601
Fourth Senatorial District	
Steve Cooley .....	P. O. Box 1186, Cullman 35055
Fifth Senatorial District	
Charles Bishop .....	P. O. Box 2328, Jasper 35501
Sixth Senatorial District	
Roger H. Bedford .....	P. O. Box 669, Russellville 35653
Seventh Senatorial District	
Bill G. Smith .....	2009 Gallatin St., S.W., Huntsville 35801
Eighth Senatorial District	
Lowell R. Barron .....	P.O. Box 65, Fyffe 35971
Ninth Senatorial District	
Hinton Mitchem .....	P. O. Box 297, Albertville 35950
Tenth Senatorial District	
Bill Drinkard .....	P. O. Box 372, Gadsden 35902
Eleventh Senatorial District	
John A. Teague .....	P. O. Box 427, Childersburg 35044
Twelfth Senatorial District	
Donald G. Holmes .....	1916 Robinhood Drive, Oxford 36203
Thirteenth Senatorial District	
Gerald Dial .....	P. O. Box 248, Lineville 36266
Fourteenth Senatorial District	
Frank (Butch) Ellis, Jr. ....	P. O. Box 587, Columbiana 35051
Fifteenth Senatorial District	
John E. Amari .....	9636 Parkway East, Birmingham 35215
Sixteenth Senatorial District	
William J. Cabaniss, Jr. ....	P. O. Box 19925, Birmingham 35219
Seventeenth Senatorial District	
Mac Parsons .....	1285 E. Hueytown Rd., Hueytown 35023
Eighteenth Senatorial District	
J. Richmond Pearson .....	P. O. Box 11135, Birmingham 35202



Nineteenth Senatorial District	
Jim Bennett .....	2010 Brookwood Medical Center Drive, Birmingham 35351
Twentieth Senatorial District	
Earl F. Hilliard .....	P. O. Box 11385, Birmingham 35202
Twenty-first Senatorial District	
Ryan deGraffenried, Jr. ....	P. O. Box 2263, Tuscaloosa 35403
Twenty-second Senatorial District	
Frances (Sister) Strong .....	400 South Main, Demopolis 36732
Twenty-third Senatorial District	
Henry (Hank) Sanders .....	P. O. Box 1305, Selma 36702
Twenty-fourth Senatorial District	
Earl Goodwin .....	P. O. Box 886, Selma 36702
Twenty-fifth Senatorial District	
Larry Dixon .....	P. O. Box 946, Montgomery 36102
Twenty-sixth Senatorial District	
Charles D. Langford .....	918 East Grove Street, Montgomery 36104
Twenty-seventh Senatorial District	
T.D. (Ted) Little .....	P. O. Box 2366, Auburn 36830
Twenty-eighth Senatorial District	
J. Danny Corbett .....	Route 7, Box 821, Phenix City 36867
Twenty-ninth Senatorial District	
Chip Bailey .....	P. O. Box 6791, Dothan 36302
Thirtieth Senatorial District	
J. Foy Covington, Jr. ....	Rt. 2, Newville 36353
Thirty-first Senatorial District	
E. C. (Crum) Foshee .....	310 Baisden St., Andalusia 36420
Thirty-second Senatorial District	
Perry A. Hand .....	P. O. Box 478, Gulf Shores 36542
Thirty-third Senatorial District	
Michael A. Figures .....	2317 St. Stephens Rd., Mobile 36617
Thirty-fourth Senatorial District	
Ann Bedsole .....	P. O. Box 16642, Mobile 36616
Thirty-fifth Senatorial District	
William J. (Bill) Menton .....	Rt. 2, Box 171, Irvington 36544

**STANDING COMMITTEES  
OF THE  
ALABAMA STATE SENATE  
1984**

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**FINANCE AND TAXATION  
EDUCATION SUB-COMMITTEE**

Mitchem, Chairperson; Little, Deputy Chairperson; deGraffenried, Vice Chairperson; Aldridge, Bailey, Cooley, Ellis, Foshee, Hilliard, Holmes, Langford, Smith (J.), Strong.

**FINANCE AND TAXATION  
GENERAL FUND SUB-COMMITTEE**

Mitchem, Chairperson; Little, Deputy Chairperson; Goodwin, Vice Chairperson; Amari, Barron, Bedford, Bennett, Corbett, Denton, Figures, Hand, Pearson, Smith (B.).

**RULES**

Bishop, Chairperson; Parsons, Vice Chairperson; Aldridge, Cooley, Denton, Figures, Foshee.

**JUDICIARY**

Hilliard, Chairperson; Ellis, Vice Chairperson; Aldridge, Amari, Bedford, Bennett, Cooley, deGraffenried, Langford, Little, Menton, Parsons, Sanders, Smith (J.), Strong.

**GOVERNMENTAL AFFAIRS**

Langford, Chairperson; Bennett, Vice Chairperson; Bailey, Barron, Cooley, Corbett, Covington, Dixon, Drinkard, Ellis, Figures, Goodwin, Parsons, Pearson, Sanders.

**CONSTITUTIONAL REVISION**

deGraffenried, Chairperson; Sanders, Vice Chairperson; Aldridge, Ellis, Figures, Smith (B.), Smith (J.).

**AGRICULTURE, CONSERVATION, AND FORESTRY**

Bailey, Chairperson; Menton, Vice Chairperson; Aldridge, Bedford, Covington, Denton, Dial, Ellis, Figures, Goodwin, Hand, Little, Mitchem, Sanders, Smith (J.).

**BUSINESS AND LABOR RELATIONS**

Corbett, Chairperson; Drinkard, Vice Chairperson; Bennett, Bedford, Cooley, Figures, Foshee, Parsons, Sanders.

**EDUCATION**

Parsons, Chairperson; Strong, Vice Chairperson; Bedsole, Bailey, Cooley, Corbett, Foshee, Hand, Hilliard.

**HEALTH AND WELFARE**

Aldridge, Chairperson; Barron, Vice Chairperson; Bailey, Bedsole, Covington, Dixon, Drinkard, Holmes, Smith (J.).

**BANKING AND INSURANCE**

Smith (J.), Chairperson; Bennett, Vice Chairperson; Amari, Barron, Cabaniss, deGraffenried, Denton, Drinkard, Foshee, Hilliard, Little, Mitchem, Sanders, Smith (B.), Strong.

**COMMERCE, TRANSPORTATION, AND UTILITIES**

Denton, Chairperson; Bedford, Vice Chairperson; Amari, Bishop, Cabaniss, Foshee, Hilliard, Holmes, Smith (B.).

**CONSUMER AFFAIRS**

Figures, Chairperson; Smith (J.), Vice Chairperson; Bennett, Corbett, Parsons, Sanders, Strong.

**BUILDINGS AND GROUNDS**

Foshee, Chairperson; Covington, Vice Chairperson; Bishop.

**INDUSTRIAL EXPANSION, ECONOMIC GROWTH, AND JOBS**

Smith (B.), Chairperson; Covington, Vice Chairperson; Amari, Bailey, Cabaniss, Cooley, Dixon, Figures, Smith (J.).

**COMMITTEE ON AGING**

Amari, Chairperson; Menton, Vice Chairperson; Bailey, Barron, Bennett, Corbett, Drinkard, Goodwin, Holmes.

**STUDENT AND YOUTH ACTIVITIES**

Bedford, Chairperson; Strong, Vice Chairperson; Bedsole, Dial, Dixon, Little, Menton.

**SMALL BUSINESS**

Holmes, Chairperson; Amari, Vice Chairperson; Bedford, Cabaniss, Dixon, Hand, Goodwin.

**MILITARY AFFAIRS**

Dial, Chairperson; Holmes, Vice Chairperson; Barron, Bedsole, Covington, Hand, Menton.

**LOCAL LEGISLATION NO. 1**

Foshee, Chairperson; Bedford, Vice Chairperson; Aldridge, Bishop, Covington, Dial, Hand.

**LOCAL LEGISLATION NO. 2**

Pearson, Chairperson; Parsons, Vice Chairperson; Amari, Bennett, Cabaniss, Hilliard.

**LOCAL LEGISLATION NO. 3**

Figures, Chairperson; Menton, Vice Chairperson; Bedsole, Hand.

**STANDING COMMITTEE ASSIGNMENTS  
FOR 1984  
ALABAMA STATE SENATE**

**3rd District**

**GARY ALDRIDGE**—Chairperson, Health and Welfare; Finance and Taxation Education Sub-Committee; Rules; Judiciary; Constitutional Revision; Agriculture, Conservation, and Forestry; Local Legislation No. 1.

**15th District**

**JOHN AMARI**—Chairperson, Committee on Aging; Vice Chairperson, Small Business; Finance and Taxation General Fund Sub-Committee; Judiciary; Banking and Insurance; Commerce, Transportation, and Utilities; Industrial Expansion, Economic Growth, and Jobs; Local Legislation No. 2.

**29th District**

**CHIP BAILEY**—Chairperson, Agriculture, Conservation, and Forestry; Finance and Taxation Education Sub-Committee; Governmental Affairs; Education; Health and Welfare; Industrial Expansion, Economic Growth, and Jobs; Committee on Aging.

**8th District**

**LOWELL BARRON**—Vice Chairperson, Health and Welfare; Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Banking and Insurance; Committee on Aging; Military Affairs.

**6th District**

**ROGER BEDFORD**—Chairperson, Student and Youth Activities; Vice Chairperson, Commerce, Transportation, and Utilities; Vice-Chairperson, Local Legislation No. 1; Finance and Taxation General Fund Sub-Committee; Judiciary; Agriculture, Conservation, and Forestry; Business and Labor Relations; Small Business.

**34th District**

**ANN BEDSOLE**—Education; Student and Youth Activities; Military Affairs; Local Legislation No. 3; Health and Welfare.

**19th District**

**JIM BENNETT**—Vice Chairperson, Governmental Affairs; Vice Chairperson, Banking and Insurance; Finance and Taxation General Fund Sub-Committee; Judiciary; Business and Labor Relations; Consumer Affairs; Committee on Aging; Local Legislation No. 2.

**5th District**

**CHARLES BISHOP**—Chairperson, Rules; Commerce, Transportation, and Utilities; Buildings and Grounds; Local Legislation No. 1.

**16th District**

**WILLIAM J. CABANISS, JR.**—Banking and Insurance; Commerce, Transportation, and Utilities; Industrial Expansion, Economic Growth, and Jobs; Small Business; Local Legislation No. 2.

**4th District**

**STEVE COOLEY**—Finance and Taxation Education Sub-Committee; Rules; Judiciary; Governmental Affairs; Business and Labor Relations; Education; Industrial Expansion, Economic Growth, and Jobs.

**28th District**

**DANNY CORBETT**—Chairperson, Business and Labor Relations; Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Education; Consumer Affairs; Committee on Aging.

## 30th District

**J. FOY COVINGTON, JR.**—Vice Chairperson, Buildings and Grounds; Vice Chairperson, Industrial Expansion, Economic Growth, and Jobs; Governmental Affairs; Agriculture, Conservation, and Forestry; Health and Welfare; Military Affairs; Local Legislation No. 1.

## 21st District

**RYAN deGRAFFENRIED, JR.**—Chairperson, Constitutional Revision; Vice Chairperson, Finance and Taxation Education Sub-Committee; Judiciary; Banking and Insurance.

## 1st District

**BOBBY DENTON**—Chairperson, Commerce, Transportation, and Utilities; Finance and Taxation General Fund Sub-Committee; Rules; Agriculture, Conservation, and Forestry; Banking and Insurance.

## 13th District

**GERALD DIAL**—Chairperson, Military Affairs; Agriculture, Conservation, and Forestry; Student and Youth Activities; Local Legislation No. 1.

## 25th District

**LARRY DIXON**—Health and Welfare; Student and Youth Activities; Small Business; Governmental Affairs; Industrial Expansion, Economic Growth, and Jobs.

## 10th District

**BILL DRINKARD**—Vice Chairperson, Business and Labor Relations; Governmental Affairs; Health and Welfare; Banking and Insurance; Committee on Aging.

## 14th District

**FRANK (BUTCH) ELLIS, JR.**—Vice Chairperson, Judiciary; Finance and Taxation Education Sub-Committee; Governmental Affairs; Constitutional Revision; Agriculture, Conservation, and Forestry.

## 33rd District

**MICHAEL A. FIGURES**—Chairperson, Consumer Affairs; Chairperson, Local Legislation No. 3; Finance and Taxation General Fund Sub-Committee; Rules; Governmental Affairs; Constitutional Revision; Agriculture, Conservation, and Forestry; Business and Labor Relations; Industrial Expansion, Economic Growth, and Jobs.

## 31st District

**E. C. (CRUM) FOSHEE**—Chairperson, Buildings and Grounds; Chairperson, Local Legislation No. 1; Finance and Taxation Education Sub-Committee; Rules; Business and Labor Relations; Education; Banking and Insurance; Commerce, Transportation, and Utilities.

## 24th District

**EARL GOODWIN**—Vice Chairperson, Finance and Taxation General Fund Sub-Committee; Governmental Affairs; Agriculture, Conservation, and Forestry; Committee on Aging; Small Business.

## 32nd District

**PERRY HAND**—Finance and Taxation General Fund Sub-Committee; Agriculture, Conservation, and Forestry; Education; Small Business; Military Affairs; Local Legislation No. 1; Local Legislation No. 3.

## 20th District

**EARL HILLIARD**—Chairperson, Judiciary; Finance and Taxation Education Sub-Committee; Education; Banking and Insurance; Commerce, Transportation, and Utilities; Local Legislation No. 2.

## 12th District

**DONALD HOLMES**—Chairperson, Small Business; Vice Chairperson, Military Affairs; Finance and Taxation Education Sub-Committee; Health and Welfare; Commerce, Transportation, and Utilities; Committee on Aging.

## 26th District

**CHARLES D. LANGFORD**—Chairperson, Governmental Affairs; Finance and Taxation Education Sub-Committee; Judiciary.

## 27th District

**T. D. (TED) LITTLE**—Deputy Chairperson, Finance and Taxation; Agriculture, Conservation, and Forestry; Judiciary; Banking and Insurance; Student and Youth Activities.

## 35th District

**BILL MENTON**—Vice Chairperson, Agriculture, Conservation, and Forestry; Vice-Chairperson, Committee on Aging; Vice-Chairperson, Local Legislation No. 3; Judiciary; Student and Youth Activities; Military Affairs.

## 9th District

**HINTON MITCHEM**—Chairperson, Finance and Taxation; Agriculture, Conservation, and Forestry; Banking and Insurance.

## 17th District

**MAC PARSONS**—Chairperson, Education; Vice Chairperson, Rules; Vice-Chairperson, Local Legislation No. 2; Judiciary; Governmental Affairs; Business and Labor Relations; Consumer Affairs.

## 18th District

**J. RICHMOND PEARSON**—Chairperson, Local Legislation No. 2; Finance and Taxation General Fund Sub-Committee; Governmental Affairs.

## 23rd District

**HANK SANDERS**—Vice Chairperson, Constitutional Revision; Judiciary; Governmental Affairs; Agriculture, Conservation, and Forestry; Business and Labor Relations; Banking and Insurance; Consumer Affairs.

## 7th District

**BILL G. SMITH**—Chairperson, Industrial Expansion, Economic Growth, and Jobs; Finance and Taxation General Fund Sub-Committee; Constitutional Revision; Banking and Insurance; Commerce, Transportation, and Utilities.

## 2nd District

**JIM SMITH**—Chairperson, Banking and Insurance; Vice Chairperson, Consumer Affairs; Finance and Taxation Education Sub-Committee; Judiciary; Constitutional Revision; Agriculture, Conservation, and Forestry; Health and Welfare; Industrial Expansion, Economic Growth, and Jobs.

## 22nd District

**FRANCES (SISTER) STRONG**—Vice Chairperson, Education; Vice Chairperson, Student and Youth Activities; Finance and Taxation Education Sub-Committee; Judiciary; Banking and Insurance; Consumer Affairs.

## 11th District

**JOHN TEAGUE**—President Pro Tempore.

**HOUSE OF REPRESENTATIVES  
REGULAR SESSION, 1984**

**ALPHABETICAL ROSTER AND DISTRICT NUMBER**

Charles Adams, 83	Fred Horn, 53
Robert E. Albright, 21	Ron G. Johnson, 33
Spencer Bachus, 46	Roy Johnson, 63
Greg Beers, 48	Bobby M. Junkins, 30
Jack Biddle, III, 43	Yvonne Kennedy, 103
Lucius Black, Sr., 67	Ken Kvalheim, 101
A. J. Blake, 42	Richard Laird, 37
Harrell Blakeney, 66	Jack B. Lauderdale, 17
Hugh Boles, 50	Richard J. Lindsey, 39
W. C. "Bill" Bowling, 12	Bobbie G. McDowell, 56
Mike Box, 96	Bob McKee, 74
Carl C. Brakefield, 14	Stephen A. McMillan, 95
Charlie Britnell, 18	Chris McNair, 57
Morris J. "Mo" Brooks, Jr., 10	Beth Marietta, 104
Glen Browder, 34	Charles B. Martin, 8
Jenkins Bryant, Jr., 68	Nathan Mathis, 87
June Bugg, 29	Bryant Melton, Jr., 61
Ralph Burke, 24	Mike Mikell, 76
James E. Buskey, 99	Earl Mitchell, 15
John L. Buskey, 77	Sonny Moore, 41
Tom Butler, 6	Max Newman, 16
James M. Campbell, 36	Tom Nicholson, 13
Joe Carothers, Jr., 86	Michael Onderdonk, 65
Tommy Carter, 5	Paul Parker, 9
Denzel L. Clark, 4	Arthur Payne, 44
James S. Clark, 84	Walter E. Penry, Jr., 94
William Clark, 98	George Perdue, 54
Tom Coburn, 2	Phil Poole, 62
Loyd Coleman, 25	Jack Pratt, 49
W. F. "Noopie" Cosby, Jr., 70	Jim Preuitt, 32
Bobby C. Crow, 35	T. Euclid Rains, Sr., 26
Pat Davis, 58	Thomas Reed, 82
Tom Drake, 11	John Rice, 80
Roger D. Dutton, 7	Ben T. Richardson, 23
Sundra E. Escott, 60	John W. Rogers, 52
Dwight Faulk, 90	James G. Sasser, 88
Steve Flowers, 89	George G. Seibels, Jr., 47
Joe Ford, 28	Curtis Smith, 72
Bill Fuller, 38	Lewis G. Spratt, 59
Victor Gaston, 100	Nelson R. Starkey, Jr., 1
J. W. "Joe" Goodwin, 3	John Starr, Jr., 75
Billy Gray, 45	John F. Tanner, 40
George Grayson, 19	James Louis Thomas, 69
George H. Grimsley, 85	Hoyt W. Trammell, 51
E. A. Grouby, Jr., 71	J. E. Turner, 102
Albert Hall, 22	Pete Turnham, 79
Seth Hammett, 92	Jack B. Venable, 31
Taylor Harper, 105	J. E. "Jimmy" Warren, 64
Bob Harvey, 27	Frank P. White, 93
Steve Hettinger, 20	Gary White, 55
Jimmy W. Holley, 91	Lester White, 81
Alvin Holmes, 78	Mary S. Zoghby, 97
Perry O. Hooper, Jr., 73	

**ROSTER OF THE HOUSE OF REPRESENTATIVES  
OF ALABAMA  
1984  
REGULAR SESSION**

TOM DRAKE, Speaker, Cullman

ROY JOHNSON  
Speaker Pro-Tem, Tuscaloosa

JOHN W. PEMBERTON, Clerk, Montgomery

LOIS F. ALLEN, Chief Clerk, Montgomery

**MEMBERS OF THE HOUSE**

<b>Dist. No.</b>	<b>Counties</b>	<b>Names</b>	<b>Address</b>
1	LAUDERDALE	Nelson R. Starkey, Jr. ....	301 North Pine Street, Florence 35630
2	COLBERT	Tom Coburn .....	1107 East 3rd Street, Tuscumbia 35674
3	COLBERT, LAUDERDALE	J. W. (Joe) Goodwin .....	310 Ford Road, Muscle Shoals 35661
4	LAUDERDALE, LIMESTONE	Denzel L. Clark .....	Route 2, Box 91, Killen 35645
5	LIMESTONE	Tommy Carter .....	Route 2, Box 72, Elkmont 35620
6	MADISON	Tom Butler .....	1803 Forney Drive, Huntsville 35805
7	LAWRENCE, MORGAN	Roger D. Dutton .....	R.R. No. 2, Trinity 35673
8	MORGAN	Charles B. Martin .....	P. O. Box 2538, Decatur 35602
9	MORGAN	Paul Parker .....	303 North Douglas Street, Hartselle 35640
10	MADISON	Morris J. "Mo" Brooks, Jr. ....	9009 Randall Road, Huntsville 35802
11	CULLMAN, MORGAN	Tom Drake .....	P. O. Box 1165, Cullman 35055
12	CULLMAN	Bill Bowling .....	Route 2, Box 349, Hanceville 35077
13	WALKER	Tom Nicholson .....	P. O. Box 248, Jasper 35501
14	TUSCALOOSA, WALKER	Carl C. Brakefield .....	P. O. Box G, Carbon Hill 35549
15	PICKENS, TUSCALOOSA	Earl Mitchell .....	P. O. Box 426, Northport 35476
16	FAYETTE, LAMAR, MARION	Max Newman .....	P. O. Box 428, Millport 35576



- 17 MARION, WINSTON  
Jack B. Lauderdale ..... Route 1, Box 238, Hamilton 35570
- 18 FRANKLIN, MARION  
Charlie Britnell ..... Route 2, Box 376, Russellville 35653
- 19 MADISON  
George Grayson ..... P. O. Box 38, Normal 35762
- 20 MADISON  
Steve Hettinger ..... 100 Calhoun Street, Huntsville 35801
- 21 MADISON  
Robert E. Albright ..... 2024 Stanhope Dr., Huntsville 35811
- 22 JACKSON, MADISON  
Albert Hall ..... P. O. Box 275, Gurley 35748
- 23 JACKSON  
Ben T. Richardson ..... P. O. Box 1017, Scottsboro 35768
- 24 DeKALB  
Ralph Burke ..... P. O. Box 876, Fort Payne 35967
- 25 MARSHALL  
Loyd Coleman ..... P. O. Box 67, Arab 35016
- 26 DeKALB, MARSHALL  
T. Euclid Rains, Sr. .... Route 1, Box 326, Albertville 35950
- 27 BLOUNT  
Bob Harvey ..... Route 4, Box 708, Oneonta 35121
- 28 ETOWAH  
Joe Ford ..... Gadsden State Jr. College,  
George Wallace Dr., Gadsden 35901
- 29 ETOWAH  
June Bugg ..... 610 South 5th St., Gadsden 35901
- 30 ETOWAH, ST. CLAIR  
Bobby M. Junkins ..... 254 College St., Gadsden 35901
- 31 COOSA, ELMORE  
Jack B. Venable ..... P. O. Box 736, Tallassee 36078
- 32 TALLADEGA  
Jim Preuitt ..... P. O. Box 1063, Talladega 35160
- 33 TALLADEGA  
Ron G. Johnson ..... Route 5, Box 17, Sylacauga 35150
- 34 CALHOUN  
Glen Browder ..... Route 2, Box 316, Jacksonville 36265
- 35 CALHOUN  
Bobby C. Crow ..... Route 10, Box 842, Anniston 36201
- 36 CALHOUN  
James M. Campbell ..... P. O. Box 2003, Anniston 36302
- 37 CHAMBERS, RANDOLPH, CLAY  
Richard Laird ..... 46 Randolph Plaza, Roanoke 36274
- 38 CHAMBERS  
Bill Fuller ..... 118 South LaFayette St., LaFayette 36062

- 39 CHEROKEE, CLEBURNE, DeKALB  
Richard J. Lindsey ..... Route 2, Box 394, Centre 35960
- 40 BIBB, SHELBY  
John F. Tanner ..... P. O. Box 37, Pelham 35214
- 41 SHELBY  
Sonny Moore ..... P. O. Box 44, Sterrett 35147
- 42 ST. CLAIR  
A. J. Blake ..... Route 1, Box 206A, Pell City 35125
- 43 JEFFERSON  
Jack Biddle, III ..... 2256 Pinehurst Drive, Gardendale 35071
- 44 JEFFERSON  
Arthur Payne ..... 2825 2nd Street, N.W., Birmingham 35215
- 45 JEFFERSON  
Billy Gray ..... 704 Lance Blvd, Birmingham 35206
- 46 JEFFERSON  
Spencer Bachus ... 930 1st Alabama Bank Bldg., Birmingham 35203
- 47 JEFFERSON  
George G. Seibels, Jr. .... 4016 10th Ave., S. Birmingham 35222
- 48 JEFFERSON  
Greg Beers ..... 1504 Verdure Circle, Birmingham 35266
- 49 JEFFERSON  
Jack Pratt ..... 5424 Wesley Dr., Midfield 35228
- 50 JEFFERSON  
Hugh Boles ..... 1036 Normandale Circle, Hueytown 35020
- 51 JEFFERSON  
Hoyt W. Trammell ..... Route 15, Box 247, Birmingham 35224
- 52 JEFFERSON  
John W. Rogers ..... 1424 18th St., S.W., Birmingham 35211
- 53 JEFFERSON  
Fred Horn ..... 333 16th Ave., S.W., Birmingham 35204
- 54 JEFFERSON  
George Perdue ..... P. O. Box 2473, Birmingham 35201
- 55 JEFFERSON  
Gary White ..... 2826 S. 18th St., Homewood 35209
- 56 JEFFERSON  
Bobbie Will Greene McDowell ... 2322 Dartmouth, Bessemer 35020
- 57 JEFFERSON  
Chris McNair ..... Route 4, Box 388, Bessemer 35020
- 58 JEFFERSON  
Pat Davis ..... 9312 Sears Drive, Birmingham 35206
- 59 JEFFERSON  
Lewis G. Spratt ..... 3809 4th St., W., Birmingham 35207
- 60 JEFFERSON  
Sundra E. Escott ..... P. O. Box 8172, Birmingham 35218
- 61 TUSCALOOSA  
Bryant Melton, Jr. .... 4129 20th Street, Tuscaloosa 35401

- 62 TUSCALOOSA  
Phil Poole ..... P. O. Box 609, Moundville 35474
- 63 TUSCALOOSA  
Roy Johnson ..... Route 4, Box 140, Tuscaloosa 35405
- 64 CONECUH, MONROE  
J. E. (Jimmy) Warren ..... P. O. Box 207, Castleberry 36432
- 65 CLARKE, WASHINGTON  
Michael Onderdonk ..... P. O. Drawer 130, Chatom 36518
- 66 CHOCTAW, CLARKE, MARENGO  
Harrell Blakeney ..... 1101 Old Hwy. 5 So., Thomasville 36784
- 67 CHOCTAW, GREENE, SUMTER  
Lucius Black ..... P. O. Box 284, York 36925
- 68 DALLAS, PERRY, HALE  
Jenkins Bryant, Jr. .... Route 1, Box 126, Newbern 36765
- 69 DALLAS, LOWNDES, WILCOX  
James Louis Thomas ..... Rt. 2, Box 509, Hayneville 36040
- 70 DALLAS  
W. F. "Noopie" Cosby, Jr. Dallas County Court House, Selma 36701
- 71 AUTAUGA, CHILTON  
Ed Grouby ..... P. O. Box 188, Prattville 36067
- 72 BIBB, CHILTON  
Curtis Smith ..... P. O. Drawer 69, Clanton 35045
- 73 MONTGOMERY  
Perry O. Hooper, Jr. .... 509 S. Court St., Montgomery 36104
- 74 MONTGOMERY  
Bob McKee ..... P. O. Box 424, Montgomery 36101
- 75 MONTGOMERY  
John Starr, Jr. .... 2761 Forsyth Lane, Montgomery 36116
- 76 ELMORE, MONTGOMERY  
Mike Mikell ..... P. O. Box 993, Millbrook 36054
- 77 MONTGOMERY  
John L. Buskey ..... P. O. Box 6216, Montgomery 36106
- 78 MONTGOMERY  
Alvin Holmes ..... P. O. Box 6064, Montgomery 36106
- 79 LEE  
Pete Turnham ..... Box 1592, Auburn 36830
- 80 LEE  
John Rice ..... P. O. Box 2432, Opelika 36801
- 81 TALLAPOOSA  
Lester White ..... 739 Freeman St., Dadeville 36853
- 82 BULLOCK, MACON  
Thomas Reed ..... P. O. Drawer EE, Tuskegee Institute 36088
- 83 RUSSELL  
Charles Adams ..... P. O. Box 967, Phenix City 36867

- 84 BARBOUR, RUSSELL  
James S. (Jimmy) Clark ..... P. O. Box 71, Eufaula 36027
- 85 HENRY, HOUSTON  
George H. Grimsley ..... Route 1, Columbia 36319
- 86 HOUSTON  
Joe Carothers, Jr. .... Route 8, Box 33, Dothan 36301
- 87 GENEVA, HOUSTON  
Nathan Mathis ..... Route 1, Newton 36352
- 88 DALE  
James G. Sasser ..... P. O. Box 1279, Ozark 36361
- 89 PIKE, DALE  
Steve Flowers ..... P. O. Box 973, Troy 36081
- 90 BUTLER, CRENSHAW  
Dwight Faulk ..... Route 2, Box 90, Honoraville 36042
- 91 COFFEE  
Jimmy W. Holley ..... Route 3, Box 191E, Elba 36323
- 92 COVINGTON  
Seth Hammett ..... P. O. Drawer 1607, Andalusia 36420
- 93 ESCAMBIA  
Frank P. "Skippy" White .. Rt. 1, Box 193—Pollard Flomaton 36441
- 94 BALDWIN  
Walter E. Penry, Jr. .... Route 2, Box 286, Daphne 36526
- 95 BALDWIN  
Steve McMillan ..... Box 337, Bay Minette 36507
- 96 MOBILE  
Mike Box ..... P. O. Box 216, Saraland 36571
- 97 MOBILE  
Mary S. Zoghby ..... 2862 Hilburn Drive, Mobile 36606
- 98 MOBILE  
William "Bill" Clark ..... 711 Atmore Ave., Prichard 36612
- 99 MOBILE  
James E. Buskey ..... 2207 Barretts Lane, Mobile 36617
- 100 MOBILE  
Victor Gaston ..... 864 West Parkwood Dr., Mobile 36608
- 101 MOBILE  
Ken Kvalheim ..... 421 Dogwood Dr., Mobile 36609
- 102 MOBILE  
J. E. Turner ..... P. O. Box 777, Citronelle 36522
- 103 MOBILE  
Yvonne Kennedy ..... 1205 Glennon Ave., Mobile 36603
- 104 MOBILE  
Beth Marietta ..... 204 S. Cedar St., Mobile 36602
- 105 MOBILE  
Taylor Harper ..... P. O. Box 229, Grand Bay 36541

**STANDING COMMITTEES  
OF THE  
ALABAMA HOUSE OF REPRESENTATIVES  
1984**

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**RULES**

Clark (J.), Chairman; Clark (W.), Vice-Chairman; Boles, Carothers, Coleman, Davis, Dutton, Goodwin, Hall, Harvey, Johnson (Roy), Preuitt, Reed, Starr, Warren.

**WAYS & MEANS**

Coburn, Chairman; Holley, Vice-Chairman; Albright, Bowling, Brakefield, Browder, Holmes, Junkins, Kennedy, Mitchell, Moore, Rogers, Trammell, Turner, Turnham.

**JUDICIARY**

Campbell, Chairman; Onderdonk, Vice-Chairman; Bachus, Box, Britnell, Brooks, Buskey (James), Fuller, Kvalheim, Laird, Marietta, Mathis, Nicholson, Poole, Tanner.

**STATE ADMINISTRATION**

Blake, Chairman; White (F.), Vice-Chairman; Biddle, Britnell, Coleman, Crow, Davis, Grimsley, Lauderdale, Mathis, Parker, Pratt, Smith, Thomas, Warren.

**BUSINESS AND LABOR**

Crow, Chairman; Melton, Vice-Chairman; Albright, Bachus, Beers, Blake, Boles, Bugg, Buskey (James), Buskey (John), Ford, Hooper, Moore, Pratt, Trammell.

**HEALTH**

Biddle, Chairman; Carothers, Vice-Chairman; Clark (J.), Butler, Flowers, Johnson (R.G.), McDowell, Mikell, Pratt, Sasser, Seibels, Starkey, Thomas, Turner, White (L.).

**BANKING**

Zoghby, Chairman; Harvey, Vice-Chairman; Campbell, Cosby, Escott, Ford, Grimsley, Harper, Hettinger, Holley, Horn, Kvalheim, Martin, Nicholson, Penry.

**INSURANCE**

Cosby, Chairman; Flowers, Vice-Chairman; Brakefield, Burke, Carter, McKee, Martin, Poole, Rice, Richardson, Sasser, Seibels, Smith, Spratt, White (L.).

**EDUCATION**

Grayson, Chairman; Turnham, Vice-Chairman; Bachus, Boles, Britnell, Bugg, Coleman, Laird, Lauderdale, McDowell, McNair, Melton, Newman, Parker, White (G.).

**AGRICULTURE AND FORESTRY**

Smith, Chairman; Richardson, Vice-Chairman; Blakeney, Bowling, But-

ler, Dutton, Faulk, Grimsley, Hall, Lindsey, Mathis, Penry, Preuitt, Rains, White (F.).

#### NATURAL RESOURCES

Carter, Chairman; Faulk, Vice-Chairman; Britnell, Clark (W.), Crow, Gaston, Grouby, Harper, Lauderdale, McMillan, McNair, Marietta, Onderdonk, Parker, Penry.

#### PUBLIC WELFARE

Reed, Chairman; Kvalheim, Vice-Chairman; Beers, Black, Brooks, Butler, Gray, Hammett, McNair, Payne, Rains, Richardson, Starkey, Venable, White (L.).

#### CONSTITUTIONS AND ELECTIONS

Horn, Chairman; Venable, Vice-Chairman; Adams, Beers, Black, Blakeney, Box, Buskey (John), Clark (D.), Gaston, Grouby, Hooper, Kvalheim, McNair, Starkey.

#### PUBLIC UTILITIES AND TRANSPORTATION

Goodwin, Chairman; Sasser, Vice-Chairman; Bryant, Burke, Gray, Junkins, Lindsey, McKee, Mitchell, Newman, Nicholson, Payne, Preuitt, Starr, White (G.).

#### COMMERCE AND INDUSTRIAL DEVELOPMENT

Adams, Chairman; Kennedy, Vice-Chairman; Buskey (James), Carter, Clark (D.), Cosby, Harvey, Hettinger, McKee, Parker, Penry, Perdue, Rice, Tanner, Venable.

#### LOCAL GOVERNMENT

Martin, Chairman; Escott, Vice-Chairman; Adams, Browder, Fuller, Gaston, Gray, Grayson, Johnson (R.G.), Perdue, Seibels, Spratt, Starkey, Venable, White (L.).

#### MILITARY AFFAIRS

Ford, Chairman; Newman, Vice-Chairman; Brooks, Bryant, Escott, Grimsley, Grouby, Hammett, Johnson (R.G.), Lindsey, Melton, Payne, Perdue, Sasser, Starkey.

#### HIGHWAY SAFETY

Holmes, Chairman; Tanner, Vice-Chairman; Box, Faulk, Flowers, Fuller, Harper, Hettinger, McMillan, Marietta, Poole, Rogers, Spratt, White (F.), Zoghby.

#### SMALL BUSINESS

Laird, Chairman; Mathis, Vice-Chairman; Blakeney, Butler, Fuller, Gray, Hammett, Lindsey, McDowell, McMillan, Mikell, Payne, Starr, Tanner, White (G.).

#### LOCAL LEGISLATION NO. 1

Rains, Chairman; Bryant, Vice-Chairman; Black, Blakeney, Browder, Bugg, Burke, Clark (D.), Ford, Fuller, Lindsey, McMillan, Rice, Thomas, Venable.

#### LOCAL LEGISLATION NO. 2 (Jefferson)

Horn, Chairman; Bachus, Vice-Chairman; Beers, Biddle, Boles, Davis,

Escott, Gray, McDowell, McNair, Payne, Perdue, Pratt, Rogers, Seibels, Spratt, Trammell, White (G.).

LOCAL LEGISLATION NO. 3  
(Mobile)

Turner, Chairman; Buskey (James), Vice-Chairman; Box, Clark (W.), Gaston, Harper, Kennedy, Kvalheim, Marietta, Zoghby.

LOCAL LEGISLATION NO. 4 (Madison & Montgomery)  
(Madison)

Albright, Chairman; \_\_\_\_\_, Vice-Chairman; Brooks, Butler, Grayson, Hall, Hettinger.

(Montgomery)

McKee, Chairman; Starr, Vice-Chairman; Buskey (John), Holmes, Hooper, Mikell.





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- Section 36-27-23, employees' retirement system, administration and operation of  
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- Sections 36-28-1 and 36-28-3 through 36-28-10, state social security agency  
SB 4, pages 6, 64, 147, 334, 336, 338, Act no. 84-769

- Section 36-29-2, state employees' insurance board  
SB 117, pages 28, 59, 241
- Section 36-29-10, retired state employees and teachers, continuation of insurance coverage  
SB 20, pages 9, 88, 246
- Section 37-3-32, motor carriers, registration fee  
SB 47, page 14
- Section 40-9-13, exemptions from taxation  
HB 100, pages 180, 230, 277, 283, Act no. 84-739
- Section 40-12-49, license tax on attorneys  
SB 144, pages 70, 136
- Sections 40-17-38 and 40-17-221, motor fuel taxes, discounts allowed to distributors  
SB 82, pages 21, 87, 127, 135, 259, 266, 296, Act no. 84-798
- Section 40-18-15, deductions in computation of net income  
SB 57, page 16
- Section 40-18-31, income tax for corporations  
SB 119, pages 28, 87, 132
- Section 40-20-2, occluded natural gas produced from coal seams, certain exemptions for, expiration date  
SB 15, pages 8, 86, 118, 262, 275, 297, Act no. 84-672  
SB 136, page 55
- Section 40-21-82.1, utility gross receipts tax, exemptions  
SB 96, page 23
- Section 41-4-50, division of control and accounts, department of finance  
SB 67, pages 17, 59, 148, 235, 264, 296, Act no. 84-789
- Section 41-5-19, legislative committee on public accounts  
SB 129, pages 54, 88  
HB 12, page 253
- Section 41-9-71, state board of adjustment  
SB 99, pages 24, 87, 142, 333, 335, 338, Act no. 84-758
- Sections 41-9-340, 41-9-343, 41-9-347, and 41-9-355, USS Alabama battleship commission  
SB 53, pages 15, 65  
HB 101, page 242
- Section 41-9-644, criminal offender records  
SB 8, pages 7, 59  
HB 18, page 223
- Section 41-19-10, budget management by state agencies  
SB 80, pages 20, 86

#### CODE OF ALABAMA, 1975, REPEALED

- Sections 4-2-30 through 4-2-33, 4-2-35, 4-2-35.1, and 4-2-36, Alabama department of aeronautics  
SB 152, pages 72, 107, 139
- Section 12-13-52, probate judges fined for appointment of certain persons as guardian ad litem  
SB 92, pages 23, 57, 94, 235, 265, 296, Act no. 84-791

Sections 12-19-230 through 12-19-238, witness fees in criminal cases  
SB 11, pages 7, 60, 78, 92, 197, 213, 260, Act no. 84-732

Section 22-25-10, department of environmental management  
SB 5, pages 6, 86, 131, 235, 263, 297, Act no. 84-783

Section 32-8-48, uniform certificate of title and antitheft act  
SB 151, pages 72, 107

#### CO-EMPLOYEE SUITS

Under workmen's compensation laws, restricted  
SB 126, pages 53, 225  
HB 55, pages 100, 225

#### COLLEGES AND UNIVERSITIES

Public, shall provide leave options for tenured employees who serve in the legislature  
SB 50, pages 14, 82, 146

#### COMMERCIAL DEVELOPMENT AUTHORITIES

Incorporation of, in class 1, 2, or 3 municipalities, may also be provided in class 7 or 8  
SB 150, pages 71, 106, 150, 155

#### COMPTROLLER, STATE

Social security, state office of, provided under supervision of  
SB 4, pages 6, 64, 147, 334, 336, 338, Act no. 84-769

Withdrawals from fair trial tax fund by, for defense of indigents, appropriation to cover  
SB 133, pages 55, 83, 149, 238, 265, 296, Act no. 84-793

#### CONGRESSIONAL DISTRICTS

Education, state board of, members to be elected from, based on 1980 census  
SB 21, page 9

#### CONSERVATION AND NATURAL RESOURCES, COMMISSIONER OF

Directed to return certain real property in Baldwin county to Amos Garrett  
SB 24, pages 9, 136

#### CONSERVATION AND NATURAL RESOURCES, DEPARTMENT OF

Empowered to promulgate rules that only traps that catch and hold animals alive may be used in trapping fur-bearing animals  
SB 130, page 54

Natural heritage program created and established in state parks division  
SB 72, pages 18, 89, 149, 247

Powers and responsibilities of, in connection with protection and preservation of scenic and recreational qualities of the Cahaba river  
SB 123, pages 29, 106, 254, 284, 309  
HB 121, page 242

#### CONSTABLES

Number of, for each county, further provided, counties permitted to

abolish such office

SB 112, pages 27, 58, 163, 282, 295, 297, Act no. 84-757

HB 11, page 241

## CONSTITUTIONAL AMENDMENTS

Article XI, taxation and debt limitation, repealed and replaced

SB 64, pages 17, 83, 122, 135

Boll Weevil, eradication of in cotton, assessment of levies, collection, distribution for purposes of

SB 31, pages 11, 62, 120, 239, 265, 297, Act no. 84-671

Catfish and catfish products, promotion of production and marketing of, assessment and fees

SB 94, pages 23, 84, 124

Wheat and other feed grains, promotion of production, distribution, improvement and sale of

SB 78, pages 20, 63, 121

## CONTRACTS

Concession, in state parks, allowable term of extended

SB 135, pages 55, 106, 253

Time for state's payment of, and invoice obligations, extended

SB 162, pages 152, 228

## CONTROL AND ACCOUNTS, DIVISION OF

In finance department, authorized to electronically transfer state warrants to banks

SB 67, pages 17, 59, 148, 235, 264, 296, Act no. 84-789

## CONTROLLED SUBSTANCES

Certain communications concerning suspected use of, teachers and other school employees exempt from liability for

SB 158, pages 73, 136, 223, 224

## CORPORATIONS

Certain foreign and domestic, which qualify for "subchapter S corporation" treatment, to pass tax treatment through to shareholders

SB 153, pages 72, 108, 138, 238, 265, 296, Act no. 84-756

HB 192, pages 180, 229

Income tax on, separate recognition of "subchapter S corporations", pass-through treatment to shareholders provided

SB 119, pages 28, 87, 132

## CORPORATIONS, PUBLIC

Africatown, U.S.A. state historic park and landmarks district, authorized for development of

SB 33, page 11

## CORRECTIONS INSTITUTION FINANCE AUTHORITY, ALABAMA

Authorized to issue bonds to finance jail, prison and other correctional facilities to be leased to municipalities, and public, county, and federal agencies

SB 102, pages 25, 88

## COTTON

Eradication of boll weevil in, assessment of levies, collection, distribution, for purpose of, CA

SB 31, pages 11, 62, 120, 239, 265, 297, Act no. 84-671

Eradication of boll weevil in, methods and procedures used for

SB 35, pages 12, 62, 120, 239, 264, 296, Act no. 84-786

## COUNTIES

County commissioners' minimum compensation further provided

SB 118, pages 28, 66, 96

SB 160, pages 104, 135

Number of constables for each, further provided, permitted to abolish such office

SB 112, pages 27, 58, 163, 282, 295, 297, Act no. 84-757

HB 11, page 241

Obsolete equipment originally purchased by county and used by state forestry commission, at replacement time shall revert to county

SB 81, pages 21, 66, 146

Registrars, boards of, sessions and working days to be based on the fiscal year

HB 86, pages 209, 267, 320, 323, Act no. 84-800

Sheriffs authorized to provide incentive compensation for personnel to conduct investigations or assist in accountability of funds

SB 60, pages 16, 65, 121, 123, 124

Sheriffs, minimum salary for

SB 13, pages 8, 64, 131

Voting, county commission may designate place of, other than courthouse

SB 128, pages 54, 81, 218

## COUNTY COMMISSIONERS

Minimum compensation for, further provided

SB 118, pages 28, 66, 96

SB 160, pages 104, 135

## COURTS

Fees collected and/or disbursed by circuit clerks and registers of

SB 11, pages 7, 60, 78, 92, 197, 213, 260, Act no. 84-732

Juvenile transferred from juvenile to criminal, shall thereafter be tried as an adult

SB 52, pages 15, 60, 253

## CREDIT UNIONS

Credit Union board of the bureau of credit unions, appointments to, meetings of, payment of examination fees by

SB 139, page 56

## CRIMES AND OFFENSES

Alcoholic beverages, legal age for purchasing, consuming, or possessing raised to 21, penalties for violations

SB 51, page 15

Assault in the first degree, elements of further defined  
SB 76, pages 19, 61, 139

"Dial-a-porn" type services prohibited  
SB 155, pages 72, 136

Fighting dogs, humane disposition of, confiscated from violators,  
provided  
SB 65, pages 17, 61, 95, 259, 266, 296, Act no. 84-796

Inmates guilty of certain, ineligible to participate in supervised inten-  
sive restitution program  
SB 74, pages 19, 82

Library theft defined, penalties, immunities for library personnel for ar-  
rest and detention of offenders  
SB 61, pages 16, 60, 148

Persons accused of, with mental retardation, must be appropriately  
tested between time of arrest and first court appearance  
SB 146, pages 71, 135

Prescription drugs, sale of, to person for whom drug is not prescribed,  
declared a class C felony  
SB 154, pages 72, 136

## CRIMINAL COURTS

Juvenile transferred from juvenile court to, shall thereafter be tried as  
an adult  
SB 52, pages 15, 60, 253

## CRIMINAL JUSTICE INFORMATION CENTER COMMISSION, ALABAMA

May impose reasonable fees for producing criminal offender records  
SB 8, pages 7, 59  
HB 18, page 223

## CRIMINAL OFFENDER RECORDS

Reasonable fees for producing, collection of  
SB 8, pages 7, 59  
HB 18, page 223

## CRIMINAL PROCEEDINGS

Depositions permitted in, from mental health authorities  
SB 73, pages 19, 61

## DEATH SENTENCE

Inmate under, when commuted by the governor, shall serve life sen-  
tence without parole  
SB 77, pages 20, 61, 249

## DEPOSITIONS

From mental health authorities in criminal proceedings, permitted  
SB 73, pages 19, 61

## "DIAL-A-PORN" SERVICES

Prohibited  
SB 155, pages 72, 136

**DISTRICT ATTORNEYS**

Offices of, establishment of special services division in each, and unit for expedient treatment of worthless checks, authorized  
SB 17, pages 8, 58, 119, 223, 243, 263, 297, Act no. 84-704

Weapons, unlicensed concealed, may carry, as well as assistants and supernumeraries  
SB 56, page 16

**DIXIE YOUTH BASEBALL**

In Russell county, tax exempt  
SB 104, page 25

**DOGS**

Fighting, humane disposition of, confiscated from violators, provided  
SB 65, pages 17, 61, 95, 259, 266, 296, Act no. 84-796

**DRIVER'S LICENSE**

Mandatory liability insurance a prerequisite to renewal of, or licensing of motor vehicle  
SB 113, pages 27, 83

**DRUGS**

Certain communications concerning suspected use of, teachers and other school employees exempt from liability for  
SB 158, pages 73, 136, 223, 224

Prescription, sale of to person for whom drug is not prescribed, prohibited  
SB 154, pages 72, 136

**ECONOMIC DEVELOPMENT COUNCILS**

State industrial development authority may make certain grants to  
HB 208, pages 193, 228, 320, 323, Act no. 84-801

**EDUCATION**

American legion scholarships, appropriation from special educational trust fund to match, increased  
SB 32, pages 11, 89, 151, 239, 263, 297, Act no. 84-784

Four-week residential summer school program for gifted and talented high school students, provided  
SB 125, page 53

Kindergartens, educational materials for children enrolled in, adoption and purchase of  
SB 69, pages 18, 82, 126

**EDUCATION, STATE BOARD OF**

Composition, election, and term of office further provided  
SB 21, page 9

Reapportioned, based on 1980 census  
SB 145, pages 70, 136

**ELECTION WARD LINES**

Adjustments to, to comply with voting rights act of 1965  
SB 91, pages 22, 66, 73, 215, 264, 296, Act no. 84-703



**ELECTIONS**

Annual voter registration day established, board of registrars' hours regulated  
SB 143, pages 70, 106

Certain city, city council's resolution for a recount allowed as procedure for contesting  
HB 13, page 242

In school districts, to authorize school taxes, validated  
SB 1, pages 5, 82, 120, 238, 263, 297, Act no. 84-782  
SB 141, page 56  
HB 42, page 175

Voting a "write-in" absentee ballot in certain, authorized  
SB 137, pages 56, 81, 141, 154

**ELECTRIC COOPERATIVES**

Exempt from provisions of uniform disposition of unclaimed property act  
SB 30, pages 11, 65  
HB 122, pages 175, 229, 283, 308, Act no. 84-814

**ELECTRICAL CONTRACTORS, ALABAMA BOARD OF**

Created, appointment of members to, powers and duties, appropriation  
SB 111, page 27

**ELECTRONIC TRANSFER**

Of state warrants, by division of control and accounts, department of finance, authorized  
SB 67, pages 17, 59, 148, 235, 264, 296, Act no. 84-789

**EMERGENCY MANAGEMENT ACT, ALABAMA**

Broadened to include emergencies other than hostile military action, further amended  
SB 88, pages 22, 48, 158, 250, 259

**EMPLOYEES' RETIREMENT SYSTEM**

Benefits under, further provided  
SB 46, page 14

Board of control, membership increased  
SB 19, pages 8, 65, 100, 158, 162, 334, 336, 338, Act no. 84-781

Certain legislative employees may participate in, and health insurance plan  
SB 14, pages 8, 57, 76, 333, 335, 338, Act no. 84-805

Class 2 municipalities under, credit for prior service of new employees  
SB 100, page 24  
HB 46, page 262

Establishment of uniform plan of health insurance for participants in, provided  
SB 116, pages 28, 57, 94, 96

**EMPLOYEES, STATE**

Establishment of uniform plan of health insurance for, provided  
SB 116, pages 28, 57, 94, 96

Liability insurance for, phase-in period allowed  
SB 44, pages 13, 59, 148, 248

Retired, continuation of insurance coverage, state to assume portion of  
cost  
SB 20, pages 9, 88, 246

Salary increase of 11%  
SB 2, pages 6, 86, 116, 117, 133, 324, 330, 332, 338, Act no. 84-745  
SB 105, page 25

#### ENGINEERS, PROFESSIONAL, AND LAND SURVEYORS

Regulation and registration of further provided  
SB 101, pages 25, 66, 127, 235, 265, 296, Act no. 84-792

#### ENVIRONMENTAL MANAGEMENT ACT, ALABAMA

Amended regarding fees, permits, penalties  
SB 5, pages 6, 86, 131, 235, 263, 297, Act no. 84-783

#### ENVIRONMENTAL MANAGEMENT, ALABAMA DEPARTMENT OF

Authority, powers, duties further provided  
SB 5, pages 6, 86, 131, 235, 263, 297, Act no. 84-783

#### FAIR TRIAL TAX FUND

Withdrawals from by state comptroller for defense of indigents, appro-  
priation to cover  
SB 133, pages 55, 83, 149, 238, 265, 296, Act no. 84-793

#### FEDERAL HEAVY MOTOR VEHICLE EXCISE TAX

Proof of payment of, required before license plate can be issued for  
trucks  
SB 156, pages 73, 108, 142, 251, 265, 296, Act no. 84-794

#### FEDERAL VOTING RIGHTS ACT OF 1965

Municipalities 12,000 or less, certain 6-month time requirement for  
mayors and aldermen waived to comply with  
SB 70, pages 18, 65  
HB 25, pages 180, 228, 277, 283, Act no. 84-740

#### FINANCE, DEPARTMENT OF

Division of control and accounts authorized to electronically transfer  
state warrants to banks  
SB 67, pages 17, 59, 148, 235, 264, 296, Act no. 84-789

#### FINANCIAL RESPONSIBILITY

Establishment of, by mandatory liability insurance, a prerequisite to  
licensing of motor vehicle or driver license renewal  
SB 113, pages 27, 83

#### FINANCIAL SECURITY

Proof of, or liability insurance coverage, required of all motor vehicle  
operators, criminal sanctions for violators  
SB 134, pages 55, 83, 255, 276

#### FIREARMS

Unlicensed concealed, districts attorneys, assistants and supernumera-

ries, may carry  
SB 56, page 16

Use of, in hunting, prohibited within 100 yards of roads, highways, or  
railroads  
SB 114, pages 27, 64

#### FIREWORKS

Sale of further regulated, permit fees, mail order sales prohibited, display further provided  
SB 132, pages 55, 228

#### FLOOD CONTROL

Alabama village and valley creeks flood control authority created for purpose of  
SB 40, pages 13, 85  
HB 143, pages 210, 252

#### FORESTRY COMMISSION, ALABAMA

Obsolete equipment originally purchased by county and used by, at replacement time shall revert to county  
SB 81, pages 21, 66, 146

#### FUNERAL SERVICE, ALABAMA BOARD OF

Educational requirements for licensure clarified  
SB 10, pages 7, 59

#### GARRETT, AMOS

Parcel of real property in Baldwin county returned to, by commissioner of conservation and natural resources, when proposed bridge was not constructed on said property  
SB 24, pages 9, 136

#### GAS

Occluded natural, produced from coal seams, tax exemptions for, expiration date  
SB 15, pages 8, 86, 118, 262, 275, 297, Act no. 84-672  
SB 136, page 55

#### GOVERNOR

Inmate whose death sentence is commuted by, shall serve life sentence without parole  
SB 77, pages 20, 61, 249

#### GOVERNOR'S SUMMER SCHOOL FOR THE GIFTED AND TALENTED

Established  
SB 125, page 53

#### GUARDIAN AD LITEM

Fine against probate judges for appointment of certain persons as, repealed  
SB 92, pages 23, 57, 94, 235, 265, 296, Act no. 84-791

#### GUNS

Use of, in hunting, prohibited within 100 yards of roads, highways, or

railroads

SB 114, pages 27, 64

#### HAZARDOUS WASTE DISPOSAL SITE

Persons with financial interest in any, to file annual statement with secretary of state

HB 194, pages 209, 267

#### HEALTH AND ACCIDENT SELF-INSURANCE GROUPS

Municipalities or groups of municipalities may establish

SB 6, pages 6, 64, 141

#### HEALTH INSURANCE

Establishment of uniform plan of, for state employees and certain retired, provided

SB 116, pages 28, 57, 94, 96

#### HEALTH INSURANCE PLAN

State employees', certain legislative employees may participate in

SB 14, pages 8, 57, 76, 333, 335, 338, Act no. 84-805

#### HIGHWAY AUTHORITY, ALABAMA

Bond issue of \$185,000,000, existing bonds of re-financed

SB 97, pages 23, 85, 168, 172, 186, 189, 317, 322, 326, 331, 335, 338,  
Act no. 84-741

#### HIGHWAY DEPARTMENT, STATE

Aeronautics bureau established as part of

SB 152, pages 72, 107, 139

#### HUNTING AND FISHING

Fishing licenses, further requirements and regulations

SB 86, pages 22, 63

Use of firearms in hunting prohibited within 100 yards of roads, highways, or railroads

SB 114, pages 27, 64

#### IDENTIFICATION CARDS

Nondriver, department of public safety to issue, for retarded persons

HB 131, pages 209, 227, 277, 294, 309, Act no. 84-815

#### INCOME TAX

Deductions in computation of net income for purposes of, amended to include radiation fallout shelters

SB 57, page 16

Foreign missionary, certain earnings of exempt from

SB 54, pages 15, 82

HB 175, pages 210, 227, 284, 309, Act no. 84-816

Term "gross income" redefined, as used in certain employer-employee qualified cash or deferred arrangements, and employer funded annuity contracts

SB 124, pages 53, 88, 160

HB 113, pages 180, 230, 276, 281, Act no. 84-806

## INDIGENTS

Defense of, further provided

SB 133, pages 55, 83, 149, 238, 265, 296, Act no. 84-793

## INDUSTRIAL DEVELOPMENT AUTHORITY, STATE

Act authorizing bond issue amended to add certain powers and duties to

HB 208, pages 193, 228, 320, 323, Act no. 84-801

## INDUSTRIAL PARK

Land held by municipality as site of, procedure for entering into binding option agreements

HB 106, pages 209, 228, 275, 279, Act no. 84-746

## INDUSTRIAL RELATIONS, DEPARTMENT OF

Workmen's compensation laws, responsibilities and duties under, as relates to co-employees' suits

SB 126, pages 53, 225

HB 55, pages 100, 225

## INSURANCE

Health and accident, municipalities may establish self-insurance groups

SB 6, pages 6, 64, 141

Health, establishment of uniform plan of, for state employees and certain retired, provided

SB 116, pages 28, 57, 94, 96

Liability coverage, all operators of motor vehicles required to have, or financial security, criminal sanctions for violators

SB 134, pages 55, 83, 255, 276

Liability, for state employees, phase-in period allowed

SB 44, pages 13, 59, 148, 248

Mandatory liability, a prerequisite to licensing of motor vehicle or renewing driver's license

SB 113, pages 27, 83

Mutual aid associations authorized to increase paid-in capital

SB 16, pages 8, 59, 98, 100, 197, 213, 260, Act no. 84-729

## INSURANCE BOARD, STATE EMPLOYEES'

Membership on further provided

SB 117, pages 28, 59, 241

## INSURANCE COMPANIES

Acquisition of control of, without insurance commissioner's approval, through purchase of insurer's authorized but unissued voting stock, prohibited

SB 165, page 152

## INSURANCE PLAN

State employees', retired employees and teachers may continue coverage, with state assuming portion of cost

SB 20, pages 9, 88, 246

## INTERNAL REVENUE CODE

Certain foreign and domestic corporations which qualify for "subchapter S corporation" treatment under, may pass tax treatment through to shareholders

SB 153, pages 72, 108, 138, 238, 265, 296, Act no. 84-756

HB 192, pages 180, 229

## INTESTATE

Employer authorized to pay surviving spouse wages due an employee who dies without will

SB 63, pages 17, 60, 94, 238, 264, 296, Act no. 84-788

## JUDGES OF PROBATE

Fine against, for appointment of certain persons as guardian ad litem, repealed

SB 92, pages 23, 57, 94, 235, 265, 296, Act no. 84-791

Mental health evaluations and commitments, required to utilize Alabama mental health facilities during, when available

SB 93, pages 23, 82, 143, 282, 295, 297, Act no. 84-833

Salaried, minimum compensation further provided

SB 109, pages 26, 66, 217

## JUDICIAL CIRCUITS

12th, circuit judges and district attorney, supplement to salaries

SB 68, pages 17, 136, 249

28th, district attorney, expense and automobile allowance

SB 27, pages 10, 58, 75, 194, 213, 260, Act no. 84-735

Establishments of special services division in office of district attorney in each, authorized, and unit for the expedient treatment of worthless checks

SB 17, pages 8, 58, 119, 223, 243, 263, 297, Act no. 84-704

## JUDICIAL SALES

Fees collected and/or disbursed by circuit and district clerks and registers, further provided

SB 11, pages 7, 60, 78, 92, 197, 213, 260, Act no. 84-732

## JUVENILE COURTS

Juvenile transferred from, to criminal court, shall thereafter be tried as an adult

SB 52, pages 15, 60, 253

## KINDERGARTENS

Educational materials for children enrolled in, adoption and purchase of

SB 69, pages 18, 82, 126

## KING'S RANCH

In Shelby county, tax exempt

SB 108, pages 26, 58, 167, 197

## LABOR, COMMISSIONER OF

Investigation and adjustment of wage claim controversies by, further

provided  
SB 62, pages 16, 107, 142

#### LADONIA-CRAWFORD WATER AND FIRE PROTECTION AUTHORITY

Exempt from utility gross receipts tax  
SB 96, page 23

#### LAWRENCE COUNTY

Exemption for, deleted from statute regarding strict liability for civil  
damages caused by use of traps to capture or kill animals  
SB 87, pages 22, 63, 99

#### LEGISLATIVE COMMITTEE ON PUBLIC ACCOUNTS

Pay, expense allowance, and mileage further provided  
SB 129, pages 54, 88  
HB 12, page 253

#### LEGISLATIVE EMPLOYEES

Certain, may participate in state employees' retirement system and  
health insurance plan  
SB 14, pages 8, 57, 76, 333, 335, 338, Act no. 84-805

#### LEGISLATURE

Additional appropriation to  
SB 89, pages 22, 89, 112, 252, 264, 296, Act no. 84-790  
HB 21, pages 155, 229

Revenue forecast control commission created to prohibit, from appro-  
priating more than a certain percentage of anticipated revenue  
SB 83, pages 21, 87

Tenured professional employees of public schools or colleges and uni-  
versities who serve in, certain leave options provided for  
SB 50, pages 14, 82, 146

#### LIBRARY THEFT

Crime of, defined, penalties, immunities for library personnel for arrest  
and detention of offenders  
SB 61, pages 16, 60, 148

#### "LIFELINE TELEPHONE SERVICE"

Provided for eligible citizens, to be implemented and regulated by pub-  
lic service commission and department of pensions and security  
SB 121, page 29

#### LIQUID PETROLEUM GAS

Prohibition against use by permit holders of plastic pipes in nurseries,  
suspended for one year  
SB 163, page 152

#### LIVESTOCK DEALERS' FINANCIAL RESPONSIBILITY ACT

Amended to include catfish in definition of livestock  
SB 71, pages 18, 62, 119, 256, 266, 296, Act no. 84-797

#### MAYORS

Six-month time requirement may be waived to comply with federal vot-

ing rights act of 1965

SB 70, pages 18, 65

HB 25, pages 180, 228, 277, 283, Act no. 84-740

#### MENTAL HEALTH

Certain officials in, depositions from in criminal proceedings permitted  
SB 73, pages 19, 61

Evaluations and commitments, probate judges required to utilize  
mental health facilities during, when available; rates for attorney  
services to indigent persons further provided  
SB 93, pages 23, 82, 143, 282, 295, 297, Act no. 84-833

#### MENTAL RETARDATION

Persons with, accused of crime, must be appropriately tested between  
time of arrest and first court appearance  
SB 146, pages 71, 135

#### MILITARY SERVICE

Retirement systems re-opened to purchase credit for, or service as  
member of national youth administration school  
SB 148, pages 71, 229

#### MINORITY, AGE OF

Raised to 21 for persons to purchase, consume, or possess alcoholic  
beverages  
SB 51, page 15

#### MINORS

Persons 17 years of age or older may donate blood without parental  
permission  
SB 36, pages 12, 57, 77, 334, 336, 338, Act no. 84-763

#### MISSING PERSONS

Time and manner of conducting investigations to locate, penalties for  
false reports  
SB 59, pages 16, 60, 140

#### MISSIONARY

Foreign, certain income earned by while serving out of this country,  
exempt from income tax  
SB 54, pages 15, 82  
HB 175, pages 210, 227, 284, 309, Act no. 84-816

#### MOBILE COUNTY

Africatown, U.S.A. state historic park and landmarks district in, public  
corporation authorized for development of  
SB 33, page 11

Class 2 municipalities, covered by employees' retirement system, credit  
for prior service  
SB 100, page 24  
HB 46, page 262

#### MOTOR CARRIERS

Registration fee increased  
SB 47, page 14



**MOTOR FUEL TAXES**

Discounts on, allowed to distributors, further provided  
SB 82, pages 21, 87, 127, 135, 259, 266, 296, Act no. 84-798

**MOTOR VEHICLE CARRIERS**

Public and private, prohibited from transporting hazardous or flammable materials through tunnels  
HB 72, page 241

**MOTOR VEHICLES**

Mandatory liability insurance a prerequisite to licensing of, or renewing driver's license  
SB 113, pages 27, 83

Nuisance of casting a light from, on real property at night, hours further provided  
SB 115, pages 27, 64

Operators of, required to have certain liability insurance coverage or financial security  
SB 134, pages 55, 83, 255, 276

Trucks, proof of payment of federal heavy motor vehicle excise tax required before license plate can be issued  
SB 156, pages 73, 108, 142, 251, 265, 296, Act no. 84-794

Uniform certificate of title and antitheft act amended to eliminate use of a form that duplicates another form at a significant savings  
HB 10, page 252

Uniform certificate of title and antitheft act amended to remove requirement of surrender of vehicle identification number plate, issuance of salvage certificate of title, certain insurance provisions, total loss redefined  
SB 151, pages 72, 107

Warranties on further provided, refunds for failure to conform to  
SB 122, page 29

With altered, falsified or obliterated serial numbers, forfeiture and condemnation of  
SB 9, pages 7, 59, 130, 259, 266, 296, Act no. 84-795

**MUNICIPAL COURTS**

Appeals from judgments of, to the circuit court  
SB 90, pages 22, 61

**MUNICIPAL HOUSING AUTHORITIES**

At least one commissioner of, must be tenant of  
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HB 94, pages 172, 233, 308, 319, Act no. 84-830
- Constables, qualifications and duties—  
HB 111, page 239
- County commission authorized to extend meeting days of board of registrars—  
HB 63, pages 170, 233, 308, 318, Act no. 84-826
- County commissioners, residence requirements—  
HB 65, pages 171, 233, 307, 318, Act no. 84-827
- Expense of relocating water pipes and lines to be paid from county general fund or road and bridge fund, when located outside of police jurisdiction—  
HB 95, pages 174, 232, 306, 319, Act no. 84-831
- Highway and traffic safety advisory board established—  
HB 125, page 174
- License commissioner, salary—  
HB 44, page 170
- Mosquito and other vector control ad valorem tax, exemptions—  
HB 93, pages 171, 232, 306, 319, Act no. 84-829
- Oil and gas severance tax, disposition of funds—  
HB 32, pages 176, 233
- Prichard water works and sewer board, pension and relief fund—  
HB 107, pages 174, 234, 311, 320, Act no. 84-807
- Probate judge authorized to sell voter lists to certain candidates—  
HB 155, pages 175, 234, 310, 321, Act no. 84-809
- Public schools further regulated, certain language concerning board of education's consent to be sued removed—  
SB 49, page 14
- Public schools, regulation of, board of education—  
HB 64, pages 173, 233, 307, 318, Act no. 84-799
- Satsuma, boundaries altered—  
HB 134, pages 175, 232
- Solid waste management program and advisory board—  
HB 108, pages 169, 232, 305, 316, Act no. 84-819

## PIKE COUNTY

- Twelfth judicial circuit, judges and district attorney, salary supplement—  
SB 68, pages 17, 136, 249

## TALLAPOOSA COUNTY

Board of registrars, compensation, mileage—

HB 41, pages 176, 230, 300, 315, Act no. 84-818

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**RESOLUTIONS****1984 FIRST SPECIAL SESSION****CONDOLENCES**

- Beck, mrs. Vera Isbell, of Fort Payne, death mourned  
HJR 89, pages 195, 219, 258, Act no. 84-722
- Bentley, mr. Hugh Ashby, of Phenix City, death mourned  
HJR 28, pages 66, 159, 192, Act no. 84-698
- Cooley, mr. Leonard Lovvorn, of Cullman county, father of senator  
Cooley, death mourned  
SJR 19, pages 47, 105, 117, 155, Act no. 84-679
- Crane, Verbon E., of Kimberley, death mourned  
SR 84, page 274
- Gravlee, dr. Leland Clark, of Birmingham, death mourned  
SR 57, page 220
- Gray, judge Lecil D., of Tuscaloosa, death mourned  
SJR 24, pages 91, 329, 338, 339, Act no. 84-774
- Norman, mrs. Jacqueline Jackson, of Auburn, death mourned  
SJR 5, pages 37, 104, 116, 155, Act no. 84-674
- Richter, mrs. Thera Holland, director of planning and community development for Jefferson county, death mourned  
SJR 32, pages 109, 153, 161, 210, Act no. 84-683

**CONGRATULATORY**

- Allison Sellers benefit committee of Florence, commended for compassion and community effort  
SR 3, page 37
- Baker, dr. Grady L., of Huntsville, commended for civic and professional achievements  
SR 59, pages 224, 268
- "Bama ramblers, the", of Pell City, commended  
HJR 7, pages 45, 160, 191, Act no. 84-686
- Batt, mr. Herbert Clayton, of Huntsville, commended for outstanding professional service  
HJR 10, pages 45, 159, 192, Act no. 84-689
- Battle, mr. Austin, commended on winning the Elmore county older American award at the age of 104  
SR 70, page 236  
SJR 71, pages 236, 330, 337, 339, Act no. 84-776
- Black, representative Lucius, commended for outstanding service to the Sumter county schools  
SJR 42, pages 125, 329, 336, 339, Act no. 84-767
- Blayney, Keith D., Ph.D., dean of school of community and allied health, UAB, commended  
HJR 77, pages 183, 220, 257, Act no. 84-719
- Bolt, mr. Bobby C., FFA's future farmer of the year, commended  
HJR 9, pages 45, 160, 192, Act no. 84-688

- Bunn, mr. and mrs. Pat, commended on 50th wedding anniversary  
HJR 52, pages 189, 220, 256, Act no. 84-708
- Chapman, Robert Curtis, chairman of the Alabama hospital association  
for 1984-85, commended  
SR 27, page 91
- Chattahoochee valley junior college, region XXII, NJCAA baseball  
champions, commended  
SR 1, page 37
- Citrano, dr. Sam J., of Huntsville, prominent dentist and civic leader,  
commended  
SR 17, pages 47, 161
- Cleland, mr. Joseph O., of Anniston, commended on retirement as area  
soil conservationist  
SR 95, page 320
- Cousin, bishop Philip Robert, sr., presiding bishop of 9th district of  
AME church in Alabama, commended  
HJR 36, pages 105, 159, 192, Act no. 84-700
- Covington, mr. and mrs. J. Foy, sr., of Dale county, parents of senator  
Covington, congratulated on 50th wedding anniversary  
SJR 47, pages 138, 330, 336, 339, Act no. 84-768
- Cusack, father Francis Vincent, commended on 30th anniversary of  
ordination  
HJR 123, pages 313, 321, Act no. 84-813
- Czarnecki, mr. Gerald M., welcomed in commendation to Alabama  
HJR 72, pages 183, 219, 257, Act no. 84-717
- Daffron, mr. and mrs. Jesse Orbon, commended on golden wedding  
anniversary  
HJR 8, pages 45, 160, 191, Act no. 84-687
- Daniel, the late Joseph Elly, honored for contributions to Chilton  
county schools  
HJR 46, pages 189, 220, 256, Act no. 84-707
- Davoren, mr. William F., commended for service to the Huntsville  
community  
HJR 11, pages 46, 159, 192, Act no. 84-690
- De Rosier, dr. Leo, of Huntsville, commended for professional achieve-  
ment and community service  
SR 15, pages 47, 162
- Dowdle, dr. Joseph Clyde, of Huntsville, commended for outstanding  
contributions to UAH and the community  
SR 61, pages 224, 268
- Dutton, rep. and mrs. Roger, congratulated on birth of a daughter  
HJR 26, pages 45, 159, 192, Act no. 84-696
- Fairhope pirates commended on winning class 4-A state baseball  
championship  
HJR 22, pages 44, 159, 192, Act no. 84-693
- Finley-Holloway family honored on forthcoming family reunion  
SR 30, page 108  
SJR 31, pages 109, 153, 161, 211, Act no. 84-684

- Fucci, Mrs. Linda D., of Auburn, commended on accomplishments in the banking industry  
SR 66, page 226
- Fuller, Mr. Thomas E., commended for outstanding accomplishment  
HJR 54, pages 189, 220, 256, Act no. 84-709
- Gomes, Dr. J. Peter, professor at Harvard university, commended and welcomed to Alabama  
SR 55, page 190
- Graves, Mrs. Eloise D., of the Auburn university, NROTC unit, commended on receiving the Navy special achievement award  
SR 75, page 243
- Green, Mr. and Mrs. Gene, of Troy, commended on 30th wedding anniversary  
SJR 28, pages 92, 329, 336, 339, Act no. 84-765
- Griffin, Rev. James A., Jr., pastor of Gulf Shores United Methodist church, commended  
SR 82, page 271  
SJR 83, pages 272, 330, 337, 339, Act no. 84-771
- Griggs, Dr. Thomas McKay, of Huntsville, commended for outstanding medical contributions  
SR 16, pages 47, 161
- Gulf states paper corporation congratulated on its 100th anniversary  
SJR 23, pages 90, 329, 337, 339, Act no. 84-742
- Hewitt-Trussville junior high school baseball team, 1984 Jefferson county baseball champions, commended  
HJR 78, pages 183, 219, 257, Act no. 84-720
- Hill, Miss Ginger Marie, of Vestavia Hills, Miss Alabama national teenager for 1984, commended  
HJR 63, pages 184, 219, 257, Act no. 84-713
- Hitt, Mr. Henry Jefferson, Boaz "man of the year" for 1983, commended  
SR 25, page 91
- Huntley, Miss Debra Ann, commended for outstanding service to black caucus  
HJR 127, pages 313, 321, Act no. 84-811
- Jones, Miss Lisa, of Sylacauga, commended on being crowned "Miss Sylacauga"  
SR 81, page 268
- Jones, Rev. Hamiel, of Auburn, minister and civil engineer, commended on retirement  
SJR 6, pages 38, 104, 117, 155, Act no. 84-675
- Keller, Bobby, of Madison, state essay contest award winner, commended  
HJR 12, pages 46, 159, 192, Act no. 84-691
- Kent, Ms. Rosa M., of Collegeville, commended for her many community contributions  
SR 67, page 226
- Langley, emergency medical technician Jimmy, of Cleburne county, rec-

- ognized for heriocr efforts in saving life of a newborn infant during  
tornado  
SJR 49, pages 152, 330, 336, 339, Act no. 84-759
- Lecroy, mr. and mrs. Walter Odatus, commended on 50th wedding  
anniversary  
HJR 101, pages 196, 217, 258, Act no. 84-728
- Lee high confederettes, Huntsville, commended  
HJR 68, pages 184, 218, 257, Act no. 84-715
- Lee high "our boys quartet", of Huntsville, commended  
HJR 69, pages 182, 219, 257, Act no. 84-716
- Litkenhous, dr. Edward E., jr., of Huntsville, commended for outstand-  
ing professional achievement  
SR 33, page 110
- Luke, Colin, of Jefferson county, commended  
HJR 64, pages 184-218, 257, Act no. 84-714
- Mastin, mrs. Ruth Petree, Boaz "woman of the year" for 1983,  
commended  
SR 26, page 91
- McCall, Joe P., of Montgomery, commended  
HJR 119, pages 263, 280, Act no. 84-754
- Mikell, rep. and mrs. Mike, commended on birth of a daughter  
HJR 59, pages 188, 219, 257, Act no. 84-710
- Moorer, miss Christella, commended for outstanding service to black  
caucus  
HJR 111, pages 245, 269, 280, Act no. 84-751
- Morris, miss Marion, commended on crowning as "miss Childersburg"  
SR 90, page 299
- Morrow, U.S. army veteran Neal, of Fyffe, commended for extraordi-  
nary courage  
HJR 90, pages 196, 219, 258, Act no. 84-723
- Moseley, Ken, commended for assistance in one of the state's largest  
drug busts at Dannelly field  
SJR 41, pages 118, 329, 336, 339, Act no. 84-766
- Persall, dr., J. Maurice, Vestavia Hills, commended on being selected  
PTA superintendent of the year  
HJR 62, pages 183, 220, 257, Act no. 84-712
- Pinson valley high school, commended in state wrestling championship  
for 1983-84  
HJR 76, pages 183, 220, 257, Act no. 84-718
- Richards, dr. Robert, of Huntsville, commended for distinguished pro-  
fessional career  
SR 60, pages 224, 268
- Rinn, dr. Roger C., of Huntsville, commended for outstanding commu-  
nity service  
SR 11, page 40
- Rivers, John, of Saraland, commended as the first Indian of an Ala-  
bama tribe to receive a law degree  
SR 89, page 296

- Rodgers, mrs. Sarah H., 1984 Tuscaloosa county citizen of the year, commended  
SJR 68, pages 226, 330, 337, 339, Act no. 84-773
- Schuessler, mrs. Virada, of Auburn university, commended on retirement  
SR 64, page 225
- Scott, miss Anne Maria, commended for outstanding service to black caucus  
HJR 110, pages 245, 269, 280, Act no. 84-750
- Segrest, mr. James Michael, of Huntsville, commended for community contributions  
SR 62, pages 224, 268
- Shields, mr. John Harold, II, of Huntsville, commended for outstanding achievement  
SR 18, pages 47, 161
- Simmons, miss Blanche V., commended on retirement from Fairhope high school  
HJR 86, pages 195, 219, 257, Act no. 84-721
- Simpson, mr. David Lawrence, of Huntsville, commended for outstanding community service  
SR 94, page 319
- Sisters of mercy's 25 years of service to Saint Pius X parish, Mobile, commemorated  
HJR 124, pages 313, 321, Act no. 84-812
- Stettler, Todd, commended for assistance in one of the state's largest drug busts at Dannelly field  
SJR 41, pages 118, 329, 336, 339, Act no. 84-766
- Stewart, mr. Sylvester, of "Sly and the family Stone", commended  
HJR 23, pages 44, 159, 192, Act no. 84-694
- Strother, mr. James I., commended on retirement from West Point Pepperell  
SR 63, page 225
- Suddath, miss Kim, of Theodore, congratulated on breaking record in state-wide pentathlon  
SR 38, page 114
- Sumrall, Mable and Haskell, of Huntsville, commended on 55th wedding anniversary  
HJR 24, pages 44, 159, 192, Act no. 84-695
- Theodore high school chess team commended for its outstanding season  
SR 39, page 114
- Troy state baseball team commended on outstanding season  
HJR 91, pages 196, 220, 258, Act no. 84-724
- Troy state lady Trojan golf team commended on outstanding season  
HJR 93, pages 196, 219, 258, Act no. 84-726
- Troy state track team commended on outstanding season  
HJR 92, pages 196, 219, 258, Act no. 84-725
- Troy state Trojans golf team commended on outstanding season  
HJR 94, pages 196, 219, 258, Act no. 84-727

- Turner, miss Olivia, commended for outstanding service to black caucus  
HJR 112, pages 245, 268, 280, Act no. 84-752
- Umbach, Arnold William, III, of Auburn, commended for honors received at Baylor school  
SR 76, page 243
- Vaughn, mrs. Lillian Ophelia Britnell, of Russellville, distinguished educator, commended  
SR 2, page 37
- Vincent high school baseball team commended  
HJR 19, pages 46, 159, 192, Act no. 84-692
- Walker regional medical center, inc., commended on becoming accredited  
HJR 27, pages 45, 159, 192, Act no. 84-697
- Warner, mr. Jack, president and chairman of the board of Gulf States paper corporation, congratulated on 100th anniversary  
SJR 23, pages 90, 329, 337, 339, Act no. 84-742
- Wenonah high school class of '64 commended on 20th reunion  
HJR 35, pages 105, 159, 193, Act no. 84-702
- Wiley, commission president Dan, commended  
HJR 5, pages 45, 161, 191, Act no. 84-685
- Williams, mr. Norbert Hershael, commended for outstanding service to black caucus  
HJR 113, pages 245, 268, 280, Act no. 84-753
- Worley, mr. Joe D., of Huntsville, commended for outstanding community service  
SR 12, page 40

#### DESIGNATIONS

- Act no. 84-328 named the "Onderdonk-Foshee act"  
HJR 33, pages 108, 162, 192, Act no. 84-699
- Act no. 84-447 (SB 382) designated as "the Ellen Marshall Bennett act"  
SJR 35, pages 110, 153, 161, 211, Act no. 84-682
- Dale county highway 40 named the "Gaston Blankenship road"  
SJR 56, pages 214, 330, 337, 339, Act no. 84-761
- Dale county highway 60 named the "Payne-Watson highway."  
SJR 51, pages 166, 329, 337, 339, Act no. 84-760
- House bill 46 to be named the "Turnham-Strong act"  
SJR 8, pages 40, 104, 117, 155, Act no. 84-676
- House bill 294 to be named the "Biddle-Strong act"  
SJR 10, pages 40, 105, 117, 155, Act no. 84-678
- House bill 625 to be named the "Davis-Strong act"  
SJR 9, pages 40, 104, 117, 155, Act no. 84-677
- House bill 670 named the Browder educational reform act  
SJR 20, pages 48, 105, 117, 155, Act no. 84-680
- June 1984 designated as "selective service registration awareness month"  
SJR 4, pages 37, 104, 116, 155, Act no. 84-673



June 30, 1984, proclaimed "William Douglas Matthews day" in Dale county  
SR 65, page 226

Senate bill 17 named the "Holmes-Laird act"  
HJR 107, pages 243, 268, 280, Act no. 84-755

## LEGISLATIVE

### Adjournment

SJR 50, page 154  
SJR 91, page 310  
HJR 3, pages 4, 70, Act no. 84-670  
HJR 79, page 182  
HJR 103, pages 203, 224, Act no. 84-705  
HJR 136, page 334

Business and labor policy group to study small businesses created  
HJR 20, page 43

Committee created to notify governor that legislature is in session  
HJR 2, pages 5, 70, Act no. 84-669

Convening of the senate as a committee of the whole called for  
SR 69, page 227

Joint committee composed of all house and senate members created to meet in Gulf Shores to consider annexation of Florida panhandle  
SJR 37, page 112

Joint interim committee on county government created  
SJR 58, pages 221, 331, 337, 339, Act no. 84-775

Joint interim committee on municipal government created  
HJR 61, pages 184, 218, 257, Act no. 84-711

Joint interim committee to study economic trends and changes created  
HJR 120, page 313

Joint interim committee to study election laws created  
SJR 14, page 46  
HJR 40, page 312

Joint interim committee to study financing of indigent hospital care created  
SJR 87, page 282

Joint interim committee to study gaming created  
SJR 78, page 252

Joint interim committee to study proposed co-employees' lawsuits created  
SJR 80, pages 267, 331, 337, 339, Act no. 84-770

Joint interim committee to study purchase of portion of Dauphin island  
HJR 14, pages 41, 220

Joint interim committee to study small business created  
SJR 13, pages 40, 281, 296, 297, Act no. 84-744

Joint interim committee to study rising cost of health care created  
SJR 52, page 166  
SJR 54, page 167

- Joint interim committee to study state board of education created  
SJR 72, pages 236, 334, 337, 339, Act no. 84-777
- Joint interim committee to study state parks created  
SJR 73, page 237  
SJR 77, pages 246, 331, 337, 339, Act no. 84-778
- Joint interim committee to study steel industry, membership increased  
HJR 105, pages 245, 323
- Joint select committee to study welfare, including old age pensions, medicaid, and social programs, to eliminate able-bodied recipients, created  
HJR 109, pages 243, 269, 280, Act no. 84-749
- Oversight committee created to monitor comprehensive plan for schools with low success rates on graduation exam  
HJR 29, pages 67, 217
- Printing of acts and journals  
SJR 79, pages 262, 329, 337, 339, Act no. 84-779
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SR 92, page 314

#### MISCELLANEOUS

- American invasion at Normandy on June 6, 1944, commemorated  
SJR 86, pages 279, 299, 330, 337, 339, Act no. 84-772  
SJR 88, pages 295, 330, 337, 339, Act no. 84-780
- Congress memorialized to cease withdrawal of offshore acreage for gas and oil exploration and production, and to enact certain legislation  
SR 34, page 110
- Congress memorialized to pursue concept of "high frontier" technology to eliminate threat of nuclear war  
HJR 128, page 314
- Directing that statue of governor Lurleen Wallace be returned to rotunda after renovation  
HJR 53, pages 188, 269, 280, Act no. 84-747
- Environmental management, department of, urged to consider potential hazards of resuming deep well injections  
SJR 43, pages 130, 162  
SR 44, page 131
- Equalization of salaries for male and female professors and instructors at public colleges and universities called for  
SJR 36, page 111
- Interim commissions created to assess the state's educational needs in high technology  
HJR 25, pages 42, 219, 256, Act no. 84-706
- Jefferson county legislative delegation office abolished, legislative fund

created

SJR 93, page 314

Legislative intent expressed concerning appropriation to the Alabama small business procurement system

SJR 7, pages 39, 281, 295, 297, Act no. 84-743

Legislative intent regarding act nos. 84-441 and 84-429, Jackson county economic development board, expressed

HJR 99, pages 194, 269, 280, Act no. 84-748

Legislative intent regarding HB 860, Baldwin county

SJR 29, page 99

HJR 41, pages 105, 160, 193, Act no. 84-701

Legislative support expressed for the possible purchase of the Revere copper and brass plant at Scottsboro

SJR 21, pages 77, 329, 336, 338, Act no. 84-764

Oil and gas study committee directed to perform certain functions relative to August offshore oil and gas lease letting

HJR 83, pages 181, 299, 316, Act no. 84-825

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